Stafford's Memoires:

OR,

A Brief and Impartial Account

OF THE

BIRTH and QUALITY, IMPRISONMENT, TRYAL, PRINCIPLES, DECLARATION, COMPORTMENT, DEVOTION, Laſt SPEECH, and Final END,

OF

WILLIAM,

late Lord Viſcount STAFFORD,

Beheaded upon *Tower-hill* on *Wedneſday* the 29. of *December* 1681.

Publiſhed for Rectifying all Miſtakes upon this Subject.

Wiſd. 4.

Vitam illorum eſtimabamus inſaniam, & Finem illorum ſine Honore, *&c.*

Hereunto is alſo annexed a ſhort APPENDIX *concerning ſome Paſſages in* STEPHEN COLLEDGES *TRIAL.*

Printed in the Year, MDCLXXXI.

The INTRODUCTION.

IT *is a wonder to ſee how* Paſſion *and* Intereſt *predominate over* Reaſon *in Mankind; Nothing is done, nothing ſaid, without ſome tincture of either, or both. Even common Occurrences are uſually related as Men would have them to be, rather then as they are.* Plain-dealing *is almoſt fled: And all things now a days, whether Private or Publick, Sacred or Prophane, are according to different Inclinations, without regard to Truth, promiſcuouſly made the Subject of a* Satyr *or* Panegirick.

An obvious example of this we have in the ſeveral accounts given of the Tryal, Declaration, Demeanor, and Death of the late Lord Stafford; *concerning whoſe Tragedy, though acted for the moſt part in the face of the whole Nation, yet there have flown about in a manner as many, and thoſe contradictory* Stories, *as there are* Relaters; *and ſuch as know* leaſt, *commonly talk* moſt, *to compleat the Error.*

It is true, the Printed Tryal ſet forth by Authority is no wiſe liable to theſe groſs miſtakes; But it hath ſwelled in the Preſs, by forms, &c. To ſo vaſt a volume, that few can ſpare either money to buy it, or time to read it. Beſides, it is in a manner ſilent of matters chiefly deſigned for the Subject of this Treatiſe (viz.) *My Lords Comportment, Declaration, Devotion, Laſt Speech, and other Occurrences, which happened incluſively from the time of his Tryal, to his final end.*

Having therefore attained to a moſt exact and certain knowledge of theſe particulars, I ſhall for the ſatisfaction of the curious, and manifeſtation of Truth, give (together with an abſtract of the whole Tryal, and ſome occurrences concerning it) a plain and ſincere relation of what I know, and can by unqueſtionable Evidence juſtify to be true. And herein I ſhall alſo totally abſtain from any the leſt moralizing upon tranſactions, whereby to foreſtal *the Readers Judgment. But contenting my ſelf with a plain and candid Relation of things, as I find them, leave every one to the freedom of his own* cenſure *and verdict upon them.*

SECT. I.

My Lords Birth, Education, Quality, &c.

illiam Howard, Viſcount Stafford, was ſecond Son to *Thomas* Earl of *Arundel*, and Uncle to the now Duke of *Norfolk*. In his youth he was educated with all care and induſtry imaginable to improve in him the endowments of Nature and Grace. And to ſpeak truth, he was ever held to be of a generous Diſpoſition, very Charitable, Devout, addicted to Sobriety, inoffenſive in his words, and a lover of Juſtice.

When he arrived to years of maturity, he married *Mary*, deſcended from the ancient Dukes of *Buckingham*, Grandchild to *Edward*, and Siſter, and ſole Heireſs to *Henry* Lord *Stafford*; To whoſe Title he ſucceeded (being created by the late King *Charles* of Glorious memory) Baron. *Anno* 1640. And ſoon after *Viſcount Stafford*.

During the time of the laſt bloody Rebellion, he ſuffer'd much for *his Loyalty* to the *King*; Always behaving himſelf with that courage and conſtancy, as beeame a Nobleman, a good Chriſtian, and a faithful Subject. After his preſent Majeſties joyful reſtauration, he lived in Peace, Plenty, and Happineſs, Being bleſſed with a moſt Virtuous Lady to his Wife, And many pious and dutiful Children. In which ſtate he remained till the 66. year of his age, when happened this Revolution of his fortune, as followeth.

SECT. II.

My Lords Impriſonment, Charge and Arraignment, &c.

ABout *Michaelmas Anno* 1678. Mr. *Titus Oates* (formerly a Miniſter of the Church of *England*) accuſed upon Oath, before the *King* and *Council*, and not long after alſo before the two *Houſes* of *Parliament*, ſeveral *Roman Catholicks*, ſome Perſons of Quality; (and amongſt the reſt, the Lord *Viſcount Stafford*,) of High Treaſon, for intending and deſigning the Death of the King, the introducing of *Popery*, and ſubverſion of the Government.

My Lord, though he immediately heard of this Impeachment, yet relying (as he ſaid) on his own Innocence, never left his Family, nor withdrew himſelf from his ordinary known Acquaintance and Affairs till the 25*th.* of *October*, (78.) when by Virtue of a Warrant from the *Lord Chief Juſtice*, he was ſent Priſoner to the *Kings Bench*, and from thence, ſoon after to the *Tower*, where he remained above two years before he could be admitted to Tryal.

During this interval, the whole Nation was ſurprized and allarm'd with the noiſe of an *horrid Plot*, contriv'd by the *Pope*, *Prieſts*, and *Jeſuits*, wherein, the King was to be murthered, Armies raiſed, Proteſtants Maſſacred, and the three Kingdoms deſtroyed, by Fire and Sword, the People were affrighted, ſearches made, Guards doubled, and all in an uproar. The King hereupon conſulted the *Parliament*, and both Houſes declared it a *Plot*. Yet to ſtrengthen the Evidence (as yet but weak) and make farther diſcoveries; *Indempnities* are promiſed, *Rewards* propoſed, and encouragements, given by *Proclamation* to any who would make out upon Oath the particulars of what in ſubſtance was

already

already declar'd. By this, and the like ſedulity of the King, and three ſucceeding Parliaments, ſeveral new Witneſſes came in; Firſt, Captain *Bedlow*. Next *Dugdale*, *Prance*, and two others *Bolron*, and *Mowbray*, out of the North; Then Mr. *Jenniſon*, *Smith*, *Seigneur Franciſco Dangerfield*, *Zeile*, *Lewis*, &c. Laſtly one Mr. *Turbervile*, who, together with *Oates* and *Dugdale*, gave Evidence againſt this Lord *Stafford*, of whom we now treat.

After two years Impriſonment, when many *Roman Catholicks*, both Prieſts and others, had been *Executed*, and moſt of the reſt *Impriſoned* or fled; At length my Lord was brought to his Tryal, on the 30th day of *Novem.* 1680. at the *Peers Bar* in *Weſtminſter-Hall*; the *Houſe of Commons* being preſent, and the Lord Chancellor *High-Steward* of *England*. The Impeachment was drawn in the name of the *Commons of England*; Tryal, p. 4. wherein my Lord was charged, together with other Papiſts, for having *imagin'd* and *contriv'd to murder the King, to introduce Popery, and ſubvert the good Government of Church and State eſtabliſhed by Law.*

To this Impeachment my Lord, being thereupon arraigned, pleaded *Not Guilty.*

Allegations in proof of the Plot *in general.* ¶ 1.

THen the Cauſe was opened, and the Commons Learned Counſel, who were appointed *Managers* of the *Tryal*, ſet forth the Charge in moſt Copious and Eloquent Language; And beginning firſt with the *Plot in general*, they ſhew'd to the life the Wickedneſs, the Malice, the Horror of ſo Dreadful, Bloudy and Helliſh a Deſign. They ſtrongly inſiſted on the expreſs *poſitive Oaths* of the Witneſſes, upon whoſe Teſtimony the credit of this Plot chiefly depended. They amply dilated upon the *Letters* of *Coleman*, and others, clearly demonſtrating the buſie Deſigns and Activity of the Writers. They preſſed home the execrable Murder of Sir *Edmundbury Godfrey*, charged upon the Papiſts, as well by the Oaths of Captain *Bedlow* and Mr. *Prance*, ſelf-acknowledged Partners in the *Aſſaſination*, as alſo by a certain Letter ſent from *London* to *Tixall*, intimating the Murder of a Juſtice of Peace, and communicated by *Dugdale* to divers Gentlemen in *Staffordſhire*, the third day after the Murder was committed. They diſplayed to the full view the *Sham-Plots* and *Counter-Contrivances*, whereby ('tis ſaid) the *Papiſts* would have ſuborned the *Kings Evidence*, and turn'd all their Guilt upon His Majeſty's known and *well-experienced Loyal Proteſtant Subjects*. They urg'd the *firing the City*, the *burning the Navy*, the calling in *French-Armies*, *Wild-Iriſh*, *Spaniſh-Pilgrims*, &c. aſſerted in the ſeveral *Depoſitions* and *Narratives* of Dr. *Oats*, Captain *Bedlow*, Mr. *Dangerfield*, &c. They recapitulated the ſeveral Tryals of *Ireland*; *Whitebread*, *Langhorn*, &c. And alledged the *Votes of both Houſes of Parliament* declaring it a *Plot*. To ſtrengthen all this, they ript up the Cruelties of Queen *Mary*, the *French* and *Iriſh Maſſacres*, the *Powder-Plot*, *&c.* They anatomiz'd the wicked *Principles* (from whence ſpring evil Practices) of *Murdering*, *Lying*, *Swearing*, *Faith-breaking*, *Equivocating*, &c. imputed to the *Papiſts*, as held by them lawful, and *matters of Faith*. In ſhort, nothing was omitted, nothing neglected throughout the whole Proceſs; But every the leaſt Circumſtance enforced and advanced to its full proportion, with ſuch vigour of Wit and Induſtry as fitly correſponded to ſo great a Cauſe, proſecuted by ſo high an Authority, before ſo Illuſtrious *Judges*, and Auguſt an *Aſſembly*. Pag. 7, &c.

When

When the Managers themſelves had made theſe efforts to ſhew the *Univerſal Conſpiracy*, (as they term'd it) they produc'd ſix Witneſſes to the ſame effect, whereby to ſecond and confirm what they had thus in general aſſerted.

Mr. Smith's *Depoſition.*

Pag. 17, &c. THE firſt was Mr. *Smith*, who depoſed, That going into *France*, he became acquainted with Abbot *Montague* and one *Father Bennet*; Theſe perſons, to induce him to be a *Catholick*, told him he ſhould have an Imployment amongſt them; and that in a few years they would bring in their Religion into *England*, *right or wrong*; But this was not ſufficiently prevalent with him to turn Papiſt; yet he lived with them ſeveral years. That at laſt he went into *Italy*, where the *Jeſuits* perſwaded him to diſcourſe with *Cardinal Grimaldi*, the which he did; That the *Cardinal* made much of him; and he it was perverted him to the *Romiſh Religion*; That, upon occaſion of ſhewing him a pair of Hangings, this *Cardinal* told him, He had great aſſurances the *Popiſh Religion* would prevail in *England*; That there was but one in the way; And that, to accompliſh their Deſigns, they muſt *take him out of the way*. That the *Jeſuits* there alſo publickly preached, and privately taught, That the King of *England* being an Heretick, *whoever took him out of the way, would do a meritorious act*. That after this, he ſtudied ſeveral years at *Rome*; And that, whilſt he was in the Colledge, he ſaw ſeveral of *Coleman*'s Letters. That, being made a Prieſt, he was ſent into *England* with inſtructions to inform the Papiſts, They were *not obliged to obey the King*; but that they ſhould endeavour to promote the Popiſh Religion. That upon his arrival in *England*, he was placed with one Mr. *Jeniſon* in the Biſhoprick of *Durham*, where his main Imployment was to root out the *Jeſuits*, (as men ill-principled) and to diſſwade the Papiſts from ſending Moneys to Colledges beyond-ſeas. That one *Thomas Smith* told him he received a Letter from the Lord *Stafford*, wherein my Lord ſaid, He expected ſome *ſudden Change*.

The motives of his Perverſion.

His Imployment in *England*.

Dugdale's *Depoſition.*

pag. 21, &c. NExt to Mr. *Smith* was *Stephen Dugdale*, who depoſed, That for about 15 or 16 years together, he had been acquainted, by ſeveral Letters, and other means, there was a Deſign carrying on for the bringing in of the *Romiſh* Religion. That the Papiſts were to have Money and Arms ready againſt the King's Death, (for he ſaid he heard nothing of killing the King till the year 78.) That in *October* (78.) my Lord *Aſton* and others ſhould go to diſpoſe of certain Arms they received, to the value of 30000 *l.* That the King of *France* was acquainted with all theſe *Deſigns*; and that he would furniſh the Papiſts with *Men*, and afford them other *Aid* and Aſſiſtance, if the *King ſhould die, or be taken away*. That he ſaw a Letter writ to Mr. *Evers*, (for all the *Jeſuits* Letters were returned to him) wherein were theſe words, *This night Sir* Edmundbury Godfrey *is diſpatch'd*. That he himſelf had contributed 500 *l.* for Arms, *&c.* to carry on the *Deſign*. That about the year 78. there was an *Indulgence* publiſhed at all private *Chappels*, wherein whoſoever was active for *killing the King*, ſhould have a *free Pardon of all their Sins*. That he was told at Meetings, That the King being an *Heretick*,

His Contribution for Arms, *&c.* 500 *l.*

retick, it was lawful to kill him; And that it was no more then to *kill a Dog*; That he had heard, That about the time the King ſhould be killed, ſeveral Parties ſhould be provided with Arms, and riſe all on a ſudden at *an hours warning*, and ſo come in upon the Proteſtants, and *cut their Throats*; And if any did eſcape, there ſhould be an Army to *cut them off* in their Flight; That he heard the Pope's daily In come was 24000 *l.* a day. And that the ſame Pope (as he thought) had promiſed to contribute in the whole 1000 *l.* for the raiſing of *Armies*, and carrying on the above mentioned Deſign.

Armies ready at an hours warning.

The Popes contribution 1000 *l.*

Mr. Prance *his Depoſition*

THen *Mr. Prance* was produced, who depoſed, That one Mr. *Singleton* a Prieſt told him, *He would make no more to ſtab forty Parliament Men, then to eat his dinner*, which he was then at.

Pag 25. &c

Dr. Oates *his Depoſition.*

NExt *Doctor Oates* gave Evidence, That in the year (76) he being then a Proteſtant, and Chaplain in the Duke of *Norfolk's* Family, One Mr. *Kemiſh* and one Mr. *Singleton* Prieſts, adviſed him to haſten betimes to the Church of *Rome*, for that the Proteſtant Religion was now *upon its laſt leggs*. That hereupon (having had before ſome ſuſpicion of the deſigns of the Papiſts, and growth of Popery) to ſatisfie his curioſity, he feigned himſelf a Convert: was ſeemingly reconciled; preſently admitted by the Jeſuits to do their buſineſs, entruſted in their ſecrets; and ſent by them in *April* (77) with *Treaſonable Letters* into *Spain*. That e're he arrived at *Validolid*, there were Letters got before him from *England*, wherein was expreſſed; That the *King was diſpatched*, which was a cauſe of great joy to the *Fathers* there; But that this proved a miſtake. That during his abode in *Spain*, he found the *Miniſters* of that Court were very ready to advance *Money*, which Money was returned into *England*; And that the Provincial of the Jeſuits of *Caſtile* had alſo advanced 10000 *l.* That ſoon after this, he was preſent at a Sermon Preached to ſome Students, againſt the Oaths of *Allegiance and Supremacy*, wherein likewiſe the Kings *Legitimacy was villified and abuſed*; and it was declared, that his *Religion* entitled him to nothing but *Sudden death* and Deſtruction. That returning into *England* in *November* following and bringing Letters for Mr. *Strange*, he heard Mr. *Keines* ſay in Mr. *Strange's* Chamber; he was mighty *ſorry* for honeſt *Will* (meaning the Ruffian that was to kill the King) that he had *miſſed in his enterpriſe*. [Here Mr. *Oates* thought good to tell their Lordſhips. That the Papiſts were not ſo Zealous for the deſtruction of the King, till the King had refuſed *Coleman* the Diſſolving of the long Parliament: Then he went on to acquaint them,] That in *December* he departed from *London* to St. *Omers*, loaded with Letters from *Strange* and others, importing the hope they had the next year to effect their *Deſign*. That being at St. *Omers* he ſaw Letters out of *Ireland*, whereby he found that there, the *Talbots* and other perſons were very zealous in raiſing of *Forces*, and reſolved to *let in* the *French* King. That in *February*, ſeveral of St. *Omers* were imployed to ſeveral places in *Germany* and *Flanders*, to fetch and carry correſpondences.

Pag. 25. &c.

his feigned Converſion.

The Provincial of *Caſtile* contribution 10000 *l.*

That in *March*, *Pickering* attempting to kill the King, the Flint of his Gun was looſe, and the King eſcaped, for which *Pickering* received a *Diſcipline*, and the other (*viz. William Groves*) a *Chiding*. That in *April* he returned to *London*; And that there was then a *Conſult* held, firſt at the *White-horſe-Tavern*, and thence afterwards adjourned into particular *Clubs*, where the Confederates did *reſolve on the Death of the King*; And that *Groves* ſhould have 500 *l.* for his pains; And *Pickering* (being a Religious man) ſhould have 30000 *Maſſes*. That in *June* he ſaw more Letters, and heard new Propoſals, wherein a Reward of 15000 *l.* was offered to Sir *George Wakemen* for *poyſoning the King*. That in *July* Mr. *Strange* very frankly told him how *London* was *fired*, and how many of thoſe concerned were ſeized, and afterwards diſcharged by the *Duke*'s Guards and Order.

Pickering receiv'd a Diſcipline.

Afterwards a Promiſe of 30000 *Maſſes*

Mr. Jenniſon's *Depoſition.*

Page 32.

AFter *Oates*, Mr. *Jenniſon* was called in, who depoſed, That in frequent diſcourſes with Mr. *Ireland* (now Executed) he heard him often ſay, That *it was neceſſary, for the introducing of Catholick Religion, that the Government ſhould be changed*; And that it was an eaſie matter to *Kill* or *Poyſon* the King. That he anſwered, *God forbid*. That hereupon *Ireland* told him he would remit the *Twenty pounds* he owed him, if he would go to *Windſor*, to aſſiſt to *take off the King*; But he expreſſed a great deteſtation of it. Then *Ireland* deſired him to name ſome Stout Couragious *Iriſh*-men, proper for the *Aſſaſination*; which he did, and *Ireland* approved of them. That he heard one Mr. *Thomas Jenniſon*, a *Jeſuit*, ſay, *If* C. R. *would not be* R. C. *he ſhould not be long* C. R. And that the ſaid *Jeſuit* added, *If the King were Excommunicated or Depoſed, he was no longer King, and it was no great Sin to take him off*. That about two months after, the ſaid *Jeſuit* told him there was a *Deſign* on foot, and that the *Queen*, *Duke of York*, the Lords in the Tower, and greateſt *Papiſts* in *England* were in *It*. That there was a new *Army* to be *raiſed*, to bring in Catholick Religion; And that He (the ſaid *Jeſuit*) would procure him from the *Duke* a *Commiſſion* in it, when the King was taken off. That he being ſurprized hereat, the *Jeſuit* told him he ſhould receive the *Sacrament of Secrecy*.

A Twenty pound Debt remitted, for a Reward to kill the King.

Mr. Dennis *his Depoſition.*

Page 30.

THe laſt Witneſs was Mr. *Dennis*, who depoſed, That he ſaw Dr. *Oates* in *Spain*, where he ſeemed to be a man of much buſineſs, and had a Bag of Money, ſome of which he lent him. That the *Archbiſhop* of *Tuam* told him in the preſence of Dr. *Oates*, That Mr. *Plunket*, *Primate* of *Ireland*, was reſolved *to bring the* French *Power into* Ireland; And that there were ſeveral Collections of Money made in *Ireland* to ſupport the *Plot*.

This is the ſum of what the ſix Witneſſes depoſed; to whoſe *Depoſitions* were annexed, and produced in Court (in order to the ſame end) the ſeveral Records of Attainder of *Coleman*, *Ireland*, *Whitebread*, *Langhorn*, *&c.* That of *Coleman* was read at length, and the others depoſited on the Clerks Table, to be made uſe of as occaſion ſhould ſerve.

The

The Papists Plea to the above-specified Allegations. B 2.

THus far hath been (as I may say) Indicted, Arraigned, and Tryed, the *Plot in general*. My Lord *Stafford* (as the *Managers* declared) is not hitherto *proved*, but only *supposed* a Party in the Conspiracy; The *Plot in general* is directly charged upon the *Papists in general*, and they must answer to the general Indictment; wherefore, though it be not my Design to defend *Popery*, yet I think it very pertinent and necessary, before we enter upon my Lord's special Charge and Defension, to insert here some of those many things the Papists in general often did, and still do constantly alledge against the Premisses, in vindication of their Innocence. If in this I shall be accounted a Papist, or *Popishly affected*, it will only be amongst those who love not to see *Truth*, contrary to their *Interest*; nor to do *Justice*, though to an *Adversary*. To proceed then. Page 17.

The Papists plead, That it is not the Clamour of the hainousness and horror of a Crime *imputed*, but the Guilt and clear Couviction of a Crime *proved*, that renders a man accountable to *Justice*, and punishable by the *Law*. The Papists Plea against the Plot in general.

That as *Treason* is the worst of Crimes, so is the stain of *Innocent Bloud* (shed by *Perjury*) hard to be washed off.

That the bare *positive Swearing* of every person in every matter or manner, hand over head, is no sufficient Conviction of anothers Guilt; for if so, it would be in the Power of any six Knights of the Post to kill whomsoever they pleased, though never so Innocent; and for what they pleased, though never so absurd or impossible, by meer dint of *Affidavit*.

That false Accusations may be so laid, as that the contrary cannot possibly be demonstrated by the Party accused; seeing no mortal man can distinctly prove where he was, and what he did, said, or heard, every day and every hour of his whole Life; Wherefore, to make *justly* valid an Accusation against another, the Laws of *God* and *Man* require,

Fitst, That the *Accuser* be a *Credible Witness*, that is, not tainted with notorious Crimes or Villanies; for he that hath lost a sense of *moral Honesty*, hath lost his right to *moral Credit*, and may be indifferently presumed to *Swear any thing*.

Secondly, That the Accusation be strengthened with *probable Circumstances*; Circumstances which bring along with them some appearance of Truth, distinct from the bare Accusation it self; for otherwise, where the Ballance is equal in point of repute, between the Accuser and the Accused, it is as presumptive that the one should be guilty of *Perjury*, as the other of the *Crimes* charged upon him; And herein, the *weaker* the Credit of the Accusers are, the *stronger* ought the presumption of Circumstances to be, as natural Reason and Justice dictate.

Now *neither* of these two essential Conditions are found in the Evidence given of this *pretended* Plot.

As for the first *Condition*; What manner of men the Witnesses are who make these Discoveries; how notoriously Infamous; how stigmatiz'd with all sorts of Felonies, Forgeries, Cheats, Debaucheries and Wickedness, many Intelligent Protestants in their Consciences know; the Wittnesses themselves have been often forced to acknowledge, and

ſeveral *Courts of Judicature*, can, upon *Record* give publick Teſtimony.

As for the ſecond *condition*; there are not only no *Circumſtances* confirming the bare Oaths; But the whole ſeries of the Evidence, is a meer bundle of Moral impoſibilities, contradictions, and nonſence. Here is a *Plot* (forſooth) contrived by the Papiſts, at a time when they had leaſt, or rather no reaſon, to ſeek a Change; To *kill the King*, by whoſe merciful indulgence they lived in Peace; To wade through *blood* to an uncertain *liberty*, which they already ſufficiently enjoyed; To *overthrow* the *Government* for the reſtabliſhing of which they ſo frankly in the late Wars expoſed their *lives* and *fortunes*; This Plot muſt be managed by *Perſons* of Quality, moſt remarkable peradventure of all others for *firmneſs of Loyalty*, and now through age and infirmities, retired from publick buſineſs and weary of the world; The whole body of *Roman Catholicks*, (men, before this hour, of known worth, vertue, integrity, and unblemiſhed Reputation,) muſt all be involved by *Vows*, and *Sacraments*, in a *deſign* ſo black, and execrable, That *God* and *nature* abhorr to think on it. They muſt hazard their Honor, their Eſtates, their Families, their Bodies, their Souls, their All, in an enterprize, ſo deſperate and ſottiſh, that none but *mad-men* would attempt it, and nothing but a *miracle* could either effect, or conceal it.

In this *Plot* are ſaid to have been engaged for ſeveral years together divers Nations, *England*, *Scotland*, *Ireland*, *France*, *Italy*, *Spain*, *Germany*, &c. (an affront, ſhame and ſcandal unto the greateſt Part of *Chriſtendom*) wherein many thouſands of both Sexes, of different Intereſts, of all ſorts, ſtates and conditions, muſt neceſſarily have been *privy to*, and *partners in* the Villany. Now, that none of all this vaſt number ſhould have any *remorſe* for ſo *bloudy a Treaſon*; None all this while the Worth, Wit or Grace to *reveal it*; No intervening accident, no Levity, no diſagreement of Parties, happen to detect it, till at laſt Dr. *Oates* Captain *Bedlow*, and by degrees their other Companions, raked out of *Gaols*, *Whipt*, *Pillory'd*, and one way or other branded with *Infamy*, made this *Grand Diſcovery*, (good men) out of *tenderneſs of Conſcience*. This is ſomewhat hard to believe.

Pag. 70. To proſecute this *Plot* the Witneſſes atteſt there were huge *Armies* of Papiſts (*Dugdale* mentioneth two hundred thouſands) immediately to be *raiſed*; Theſe numberleſs Swarms, were to be provided with proportionable ſtores of *Weapons*, *Ammunitions*, &c. and all in a readineſs for a general Maſſacre of Proteſtants at an hours warning; *Oates* and the reſt likewiſe affirm they were well acquainted with all the moſt deep, and ſecret *intrigues* the Papiſts had, of this nature; Yet after all, when it comes to it; They cannot ſhew or direct where theſe Millions of men, and Mountains of Magazines are; The Kings Officers, after thirty months diligent ſcrutiny, could never find the leaſt footſteps of any ſuch thing. And 'tis impoſible they ſhould or could be inviſibly diſperſed or conveyed away upon ſo ſuddain and unexpected a diſcovery, eſpecially in the very nick of time when they were to be made uſe on.

We are farther told of hundreds of Sealed *Commiſſions* for all ſorts of Military *Offices*; my Lord *Stafford* (becauſe no good Accountant) muſt be *Paymaſter General*; Divers *Patents* granted for dignities of State; many *Bulls* and *Breifs* for Eccleſiaſtical preferments; And God knows how many even Buſhels of Letters, and Pacquets, all containing

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moſt *damnable Treaſon*, ſent nevertheleſs up and down at randam, ſome by the *Common Poſt*. Others by ſuch Meſſengers as *Oates*, *Bedlow*, *Dugdale and Dangerfield*, who, as boſom Councellours, were ſtill privy to the contents of what they carried too and fro, and became ſo dexterous in taking *remarques*, That they could exactly tell (when their memories failed not for fear of contradictions) the particular Dates, when, where, to whom, and from whom; Nay they could punctually recite upon their fingers ends, the very expreſs words of almoſt every Letter; *Oates* moreover declares, he was never a real Catholick, but only pretended to be ſo, on purpoſe to make *Diſcoveries* : And he was ſo ſucceſsful in this *Stratagem*, that he gained from the Jeſuits a *Patent* (a) to be taken into the *Conſult*. Is it poſſible then, that none of theſe men thus circumſtanced, could get or preſerve one ſingle *Letter*, one ſealed *Commiſſion*, one ſcrip of Paper, one Original Writing, (a thouſand manner of ways eaſily compaſſed in ſuch a conjuncture) whereby to credit their *monſtrous Evidence*? How came it about they did not at the firſt Diſcovery (having both time and opportunity to do it) ſeize by ſurprize ſome of theſe *Things*, together with the *Perſons*, where they were lodged? Did all the *Plotters* burn their *Commiſſions*, *Bulls*, *and Briefs*, as well as their Letters, as ſoon as they received them? Why did not *Oates* ſhew us at leaſt his own *Patent* received from the *Jeſuits*? Surely it would have been of mighty force to ſtrengthen his *Teſtimony*. Why did not the other *Witneſſes* alſo produce ſome of thoſe *Treaſonable Letters*, writ, (as they ſaid,) and directed to themſelves? Nothing appear; nothing extant; nothing feiſible, but a few naked, harmleſs men, in their ſeveral private Chambers? And this too, juſt when the *Grand Deſign* was to break into Action? What mortal man can reconcile theſe endleſs *Contradictions*?

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(a) *Coleman's* Tryal.

From theſe, and other the like grounds, the Papiſts would infer, That no credit ought to be given to the *bare Oaths* of theſe men, ſwearing at this wild *incoherent* rate. And they farther appeal to the Judgment of every impartial conſcientious man, Whether it be not more likely that a few *Debauch'd* Wretches, of *loſt* Conſciences, and *deſperate* Fortunes, *allured* by *Gain*, and *encouraged* by *Indempnities*, ſhould be induced out of *Malice* or *Intereſt*, to ſwear a *Lie*; then that ſo many, ſo Noble, ſo Prudent, ſo known Loyal and Virtuous Perſons, ſhould be guilty of ſo horrid, ſo *bloudy*, ſo abſurd, ſo morally *impoſſible*, and (in all circumſtances) contradictory a *Deſign*? Nay whether, if ſuch Evidence be allowed and countenanced, any man, either *Papiſt* or *Proteſtant*, can be long *ſecure* of his Reputation, Fortune, or *Life*.

To what was argued from the acknowledged Letters of Mr. *Coleman*, and others; It is anſwered, That thoſe *Letters* indeed manifeſtly denote the buſie Deſigns and *Activity* of the Writers; yet are they withal ſo far from confirming a *Plot*, ſuch as *Oates* and his Companions pretend to *diſcover*, that they directly evince the contrary. For, the whole ſubject and context of thoſe *Letters* bear a plain and open face of what the Authors intended; And the Writers were Perſons, who, (had there been a *Plot*.) were the moſt likely of all others to have been the main Engines and *Contrivers* of it: Nevertheleſs, we do not find one ſingle word or ſillable in them, from whence may be gathered any ſuch deſign; The *ſubſtance* of them being only ſome imaginary *Conceits*, and over-weening Policies of four or five aſpiring men, willing to be *Great*, or at leaſt

Coleman's Letters.

to be *thought* ſo; and deſiring perhaps, in ſome meaſure, a liberty of Conſcience; yet without confronting, much leſs deſtroying the *King* or *Government*. Wherein alſo (as far as appeareth by the Letters) they were nowiſe ſeconded by the *Catholicks* in general, nor much countenanced by thoſe whoſe *Favorites* they pretended to be; ſo that, upon the whole matter, theſe *Letters*, rightly conſidered, are rather (as is ſaid before) a manifeſt *Vindication* of the Roman Catholicks *Innocenſe*, then a Confirmation of the *Plot*.

Sir *Edmundbury Godfrey*'s Murder.

Concerning the Death of Sir *Edmundbury Godfrey*, there is nothing to faſten that Murder on the *Roman Catholicks*, but the *bare* improbable (though gainful) *Oathes* of two *Infamous* Perſons: The one (*viz.*) *Bedlow*, notorious for *Cheats* and *Miſdemeanours*: The other (*viz.*) *Prance*, *ſelf Condemned* of *Falſhood* herein, by the teſtimony of his own Mouth; for he once *Swore* he was an Actor in the ſaid *Murder*; and ſoon after before the *King and Council*, *unſwore* what he had ſaid, and Proteſted upon his Salvation, *he knew nothing of it*. There are furthermore ſome remarkable and preſſing circumſtances, which the *Papiſts* urge in their own *defence* herein; One is, that Sir *Edmundbury Godfrey* was eſteemed by all, a moderate man, and particularly *Indulgent* to *Catholicks*. And 'tis not credible the *Papiſts* would Murder their *Friends*; eſpecially in a conjuncture of time, when it was to no purpoſe, nor could any ways *Stifle the Diſcovery of the Plot* already made; Nay, when they could not but ſee ſuch an *Horrid* Action, (if known) muſt needs draw the *wrath* and deteſtation of the whole *Nation* upon them. The other is, that the whole (though premeditated) ſeries of this Murder, as it is related by the *Witneſſes*, ſeems to be involved with innumerable Abſurdities, Contradictions, moral Impoſſibilities, and Pregnant appearences of *Perjury*. The *Scene* of the *Tragedy* muſt be (forſooth) the publick *Yard* of *Somerſet-Houſe* (a place, or rather thorow-fare, of continual intercourſe) within twenty Paces of the Common *Guards*, where Watch is kept night and day; The *Aſſaſſines*, to effect their deſign, muſt feign a Quarrel, and call *Juſtice Godfrey* out of the Street (a notable Policy) to keep the Peace, though none, Paſſengers, Soldiers or Neighbours, perceived any thing of this Tumult. When they had him in the Yard, they Strangled him with an *Hankerchief*, (a very proper Inſtrument, ſtudyed and contrived before-hand, to ſtrangle a Man.) After the buſineſs was done, they let him lie expoſed in this open place, half living, half dead, above a quarter of an hour. At length they dragged him into a Chamber in Doctor *Godwin*'s Lodgings (a Room atteſted to be of daily uſe to the Servants, never lock'd, but conſtantly obvious to all Comers and Goers;) here they kept him two days, and then carryed him through ſeveral Courts, into ſeveral Rooms, and Apartments in *Somerſet-Houſe*; And having thus (to no purpoſe) toſſed him up and down from *Saturday* till *Wedneſday*, they finally placed him (though ſtiff and Inflexible) in a *Sedan*, and carryed him to the *Soho*, and there ſet him aſtride on Horſe-back, to ride before *Hill* to the place where he was afterwards found. *Bedlow* depoſeth Sir *Edmundbury Godfrey* was *Throtl'd* with a *Cravat*; *Prance* Swears it was with an *Handkerchief*; The names of the Aſſaſſines cited by *Bedlow*, are *Prichard, Welſh, Le Phaire, and other Jeſuits*. But the Murderers nominated *by Prance, are Greene, Hill, Bury, Gyrald and Kelly*; and

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theſe

theſe two parties are quite different Actors; and as far as apears by the Evidence, neither their Deſigns, nor Perſons well known to each other. *Prance* ſaith, he ſaw the dead Body very plainly in a low Room, by the light of a dark Lanthorn, but what was thrown over it, he could not tell; Nor could he afterwards when required, go to the Room where he ſaid he ſaw it. *Bedlow* tells us he refuſed to have any hand in the *Murder*, for which cauſe the *Jeſuits* did not acquaint him who it was; yet they ſhewed him the *dead Body* in the preſence of many, who neither knew him, nor he them; *Prance* himſelf further declared, he never was in *Bedlows* company, till he came to Priſon. The main Aſſaſſines were ignorant of what reward they were to have; But *Bedlow* (though no compartner in the Murder,) could tell there were Four Thouſand Pounds ordered, of which Two Thouſand Pounds were proffered to him alone, if he would but aſſiſt the reſt to convey away the Corps. This Murder is affirmed to have been committed on *Saturday*, the twelfth day of *October* (78.) at nine a clock at night; and the Body conveyed away on the *Wedneſday* following, about Midnight. In direct oppoſition to which, *Hill*, *Green*, and *Bury* (who were Accuſed, Tryed and Executed for this Fact,) produced theſe Witneſſes. One Mrs. *Tilden* and Mrs. *Broadſtreet*, atteſted that *Hill* (who dwelt with them) never kept ill hours, but always came in by Eight of the Clock; That he could not go out afterwards, becauſe he waited at Table, and the Maid *Catherine Lee* locked up the doors, and the Family went not to Bed till Eleven; That particularly he was at home on *Saturday* night, when Sir *Edmundbury Godfrey* is ſaid to be Kill'd; and on *Wedneſday* night when carried away. *James Warrier* atteſted, That *Green* (his Lodger) was in his Houſe and company on *Saturday October* the 12*th.* from ſeven till after ten at Night, and that he exactly remembred it by his Work. The three Centinels, who Succeſſively kept ſtrict Guard on the aforeſaid *Wedneſday* Night, at the great *Gate* at *Somerſet-Houſe* (through which 'tis affirmed the Body was carried out in a *Sedan*) declared there went out that way no *Sedan* at any hour whatſoever, from ſeven a Clock that Night, to four the next Morning; The Amplitude of which Teſtimony includes at leaſt three hours immediatly before and after the time Sworn to by *Prance* and *Bedlow*. *Bury's* Maid atteſted, That her Maſter came in that ſame *Wedneſday* in the Duſk of the Evening; went to Bed about 12. and could not well after that go out again, without her knowledge; the paſſage to his Chamber being through hers. And it is moſt worthy of obſervation, that this *Bury* was, and profeſſed himſelf to be (both during his Impriſonment, and at his very Death,) a *Proteſtant of the Church of England*; Yet this Man, though after Condemnation he was proffered his Life, if he would own the Fact; Nevertheleſs abſolutely denyed it to his laſt Breath. And when the very Cart was drawing away from under him, he lifted up his Hands and ſaid, *As I am innocent, ſo receive my Soul, O Jeſus*; wherefore if the laſt Words of a dying *Proteſtant*, who might, but would not live, (by a falſe accuſation of himſelf or others,) may be credited; The *Papiſts* were innocent of this *Murder*, and the forenamed Witneſſes *Perjured* in their *Evidence*. As for what is objected about a Letter ſent from *London* to *Tixall*, *&c.* It is anſwered (ſuppoſing ſuch a Letter was really ſent and received) That a Letter intimating the Murder of a Juſtice of the Peace, might well be

Writ

Writ from *London* on *Saturday* (when Sir *Edmundbury Godfrey* was known to be missing) and arrive at *Tixall* in *Staffordshire*, by the common Post on *Munday* following; And thereupon *Dugdale* might tell the news the self same day, to divers Gentlemen at *Tixall*. What of all this? Where's the Inference against the *Papists*? Yet this is all some Gentlemen seemed to attest, (whilst others denyed,) and all can be necessarily deduced from the receipt of such a Letter; But that this Justice of the Peace was Sir *Edmundbury Godfrey*, and that the *Papists* had Murdred him, is proved only by the Common tract of *Dugdales* peremptory Swearing, without any rational motive of credibility. Thus much of Sir *Edmundbury Godfrey*.

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Fire-Balls, Sham-Plots, &c.

As for the Narratives, and from them deduced Stories, of *Firing* the City, *Burning* the Navy, *Black-Bills*, *Fire-Balls*, *Sham-Plots*, *Wild-Irish*, *Spanish-Pilgrims*, with other the like innumerable Fopperies, and known contradictions to wise men; though they make a dreadful sound amongst the Mobile; yet carry along with them such an excess of Gross and Ridiculous Nonsence; that to sober understandings they only serve to demonstrate the *Perjury* of the Witnesses, and need no Confutation in Equitable Courts (such as ours are,) no wise disposed *per fas & nefas*, without appearance of Justice, to oppress the Innocent.

The Votes of both Houses of Parliament declaring it a Plot.

And whereas it is alledged, as a main Argument of *Popish* Guilt, That the two Houses of *Parliament* have declared it a *Plot*; and several Persons in several Courts of Judicature have been Tryed, Condemned, and Executed for it. The *Papists* answer (with all due Submission to the *Government*, in defence of *Innocence*,) That it is not Impossible, nor altogether without *President*, That a Lawful *Authority* proceeding *Secundum allegata & Probata*, should be abused; and consequently drawn into a Mistake, by the *Malice* and *Perjury* of *Wicked Men*. Those who make it their study and Trade, to frame *Artificial Lyes*, and have *time*, *assistance*, and all imaginable *encouragement* and *opportunity* for it, may easily invent *plausible Stories* (with more coherence then any hitherto devised,) such as may amuse and deceive the most *just* and *prudent Persons*; especially in a conjuncture, when a transporting *Zeal* to the *Protestant*, and (as *Papists* say) a misconceived *prejudice* to the *Catholick Religion*, influenceth the Nation; Nor have all been Convicted, who were Impeached and Tryed upon the *Plot*, but as some have been Condemned, so others Impeached upon the same *Evidence*, and in the same *Courts* of *Judicature*, have been * acquitted, the wickedness and forgery of the Witnesses detected, and their Depositions rejected, as unworthy of Credit. It is further hoped, the Wisdom, Justice, and Integrity of the State, will at length discover the whole Imposture, vindicate the Innocent, and Punish the *Injury* herein done, to *God*, to the *King*, to the *Nation*, aud to almost all *Europe*.

* See the Tryals of *Wakeman*, *Corker*, *Marshal*, Earl of *Castlemain*, Sir *Tho. Gascoin*, Lady *Powis*, *Tempest*, &c.

Gunpowder-Treason, *French* Massacre, *&c.*

To the Instances given of *Popish* malice, and Bloodiness from former examples, (*viz.*) Queen *Mary*'s Cruelties, the *Powder Plot*, the *Irish Barbarisme*, the *French Massacre*, &c. committed by Profest *Papists*. It is answered, that by the same reason, and to as good purpose, the Trayterous Seditions, and Outrages in *Germany*, *France*, *Bohemia* and *Holland*, Authorized and Fomented by *Calvin*, *Swinglius*, *Beza*, and other Reformers; the late Bloody Wars in *England*, the

almost

almoſt yeſterday's Remonſtrances, and Practices in *Scotland*; The even now actual Rebellion in *Hungary*, raiſed and managed by *Proteſtants*, for *Proteſtanism*; But above all, that never to be paralelled, *Helliſh Murder of the Lords Annointed, Our glorious Soveraign* Charles *the firſt*, in cold Blood, *by outward form of* Juſtice, *on pretence of* Reformation; *might be imputed to the* Proteſtant Religion. For all theſe now mentioned *Horrid Villanies* were committed by *Proteſtants*; *Proteſtants* who gloried in being more then ordinarily refined, from *Popiſh* Errors and *Superſtitions*. If it be ſaid (as moſt juſtly it may) the *Church of England* never taught ſuch Practices, the ſame ſay, and proteſt the *Papiſts* in behalf of their *Church*; But becauſe meer recrimination is no juſtification on either ſide; And for that, a full deciſion of this heavy charge, dependeth much on the right underſtanding of *Roman Catholick Principles*, in matter of obedience to *God* and the *King*; We ſhall treat of this Subject apart by it ſelf, when we come to examine the Principles of My Lords *Faith* and *Religion*.

Reflections upon the ſeveral above-cited Depoſitions of Smith, Dugdale, Oates *and* Jeniſon.

LAſtly, The above-cited *Depoſitions*, reſpectively made by *Smith*, *Dugdale*, *Oates*, and *Jeniſon*, in proof of the *Plot* in general, are liable alſo to divers remarkable Exceptions. And the *Papiſts* ſtick not here to ſay, they wonder how ſo many and groſs Incongruities, and Falſhoods, atteſted only by Infamous Men, could paſs for currant Truths amongſt Perſons of Juſtice, Worth, and Prudence. For inſtance.

Smith in his *Depoſition* gives us to underſtand, That being as yet a *Proteſtant*, but troubled it ſeems with ſome doubts in matters of *Religion*; he applyed himſelf for ſatisfaction to certain *Prieſts* in *France*; They to ſettle his mind told him, *They would ſhortly bring in their Religion into* England, Right or Wrong. (a notable argument to convince a well-meaning *Proteſtant.*) But neither this (as you may well think,) nor all the *Jeſuits* could ſay, or do, could prevail with him; ſo that he lived and ſtudied with them ſeveral years, (a likely ſtory) remaining ſtill a profeſſed *Proteſtant*. At length the *Jeſuits* deſponding (as well they might) of their own abilities, herein, ſent him to be converted by *Cardinal Grimaldi*, and he it was did the Feat, which none of the *Prieſts* or *Jeſuits* could compaſs. The *Cardinal* (to remove all Scruples from the tender Conſcience of his new Convert; and further to convince his Judgment in the truth of his *Religion*,) entertained him one day with this Learned and Pious diſcourſe, (*viz.*) *That he had great aſſurances, the* Popiſh Religion *would prevail in* England, *and that there was but one in the way, and that to accompliſh their deſigns*, they muſt take him out of the way. Thus the young Man being now well confirmed in his Faith, was made a *Prieſt*, and ſent into *England* with Inſtructions to teach his Countrey-men, They were *not obliged to obey their King*; *and that to Murder him was a Meritorious Act.* But the misfortune was, that arriving in *England*, he quite miſtook his Errand. And though he continued firm in the belief of the *Popiſh* Doctrine and Principles; yet made it his whole buſineſs to root out the *Jeſuits*, (the

Popes chief *Emiſſaries*,) and diſſwade *Roman Catholicks* from ſending Moneys to *Colledges* beyond Seas.

Dugdale tells us, All the *Jeſuits* Letters containing Damnable Treaſon, and ſent for the moſt part by the Common Poſt, came to his hands, moſt of which he ſaw and read, but could never produce one ſingle Letter. He informs us alſo of dreadful *Oaths and Sacraments of Secrecy*, adminiſtred to the Conſpirators, before they were made privy to any dangerous Deſign; yet with the ſame breath declares, there were whole Armies both privy and ready, to a deſign no leſs then of *Cutting* all the *Proteſtants Throats*, throughout the Nation at an hours warning. Nay he aſſures us, there was a *Free Pardon of all Sins* Proclaimed every where, at the Chappels to all Perſons, Men and Women, whoſoever would be active in *Killing the King*, (a notable way of concealing Secrets.) Is it poſſible this fellow ſhould find credit in ſuch groſs, ſuch palpable Forgeries.

Oates likewiſe relates, How that whilſt he was Chaplain to the Duke of *Norfolk*, the *Prieſts* attempted the utmoſt of their skill, to perſwade him out of his Religion, by telling him, *The Church of* England *was upon it's laſt Legs.* Surely the *Prieſts* took him to be either a notorious Fool or Knave, for otherwiſe they might doubtleſs have deviſed ſome more plauſible and leſs dangerous Argument to convert a *Proteſtant Miniſter*; Yet he feigned to be convinced by their reaſons, and was hereupon preſently entertained by the *Jeſuits*, (the ſottiſh careleſs *Jeſuits*,) who on a ſuddain intruſted this *Neophite* with all their concerns, made him privy to all their moſt Damnable Intrigues; And in ſhort, 'tis moſt certain, nothing of *Treaſon*, *Murder*, or *Villany*, was contrived or even thought on, by them, without him; By this means he became acquainted, not only with the ſtrange adventures of *Pickerings looſe Flint*, *Whipping*, *Thirty Thouſand Maſſes*, &c. But alſo with the manner of *Firing the City*; Introducing *Chimerical Armies*, *French*, *Iriſh*, *Spaniſh*, &c. Muſtered up in the Depoſition; Nor is it a wonder the *Jeſuits* ſhould be ſo raſh in diſcovering their Secrets to *Oates*; Seeing he himſelf (if you will believe him) here alſo depoſeth that ſome of them were ſo [illegible]perately mad, as to Preach a publick Sermon before a company of [illegible]dents; wherein the Kings *Legitimacy* was vilified and abuſed; and it was declared, *His Majeſties Religion entituled him to nothing but ſudden Death and Deſtruction.* Is it credible a *Jeſuit* or any other in his wits, ſhould publickly Preach ſuch Black Treaſon to a Company of Boyes? But what ſhall we ſay of the *Doctor's* tender Conſcience and Zeal, in preſerving the King? He tells us here, he only *feigned* himſelf a *Catholick* on purpoſe to make *Diſcoveries*; (Alas good Man) It was to ſave His Majeſties life, made him ſeem to the *Papiſts* what he really was not. Yet (O prodigious Impudence) he owns at the ſame time, he was conſcious for above a year together, of the daily attempts made by *Groves* and *Pickering* to *Shoot the King*; He hourly expected for ſeveral Months the horrid effects of Sir *George Wakeman's* Poyſon; He was privy (as he ad's elſe-where) to the deſigned *Aſſaſſination* of the King at *Windſor*; He knew the *Ruffians* were actually upon the Place, and ready for the *Villany*; He ſaw the Money ſent to them for their encouragement, and every moment waited to hear, the *fatal ſtroke* was given. Nevertheleſs this Man of *Conſcience*, whoſe watchful Eye ſo carefully guarded the King's *Life*, all this while made

Ireland's Tryal.

made no Diſcovery; Though he knew for certain, that the *Piſtols* were all ready, even at the King's *Breaſt*; The Cup of *Poyſon* at his *Lips*; And the *Dagger* almoſt at his very *Heart*; Yet he never cryed out Murder upon the *Lord's Annointed*; never called for immediate Succour; never warned the King of his Eminent Danger; never diverted the impending miſchief; never ſo much as opened his Mouth, to diſcloſe any of theſe horrid Treaſons, until ſuch time as the King might have been killed a thouſand times over. Is this the Doctors *Vigilancy*? Or rather, is it not perfect Demonſtration, that all he hath Sworn of the *Plot*, is damnable *Perjury*?

Jeniſon declares, that though he often expreſſed to Mr. *Ireland*, an horrid deteſtation of Treaſon and Bloodſhed; Yet *Ireland* (as if he had a mind to hang himſelf) was ſtill urging this conſcientious Man to *Murder the King*; and when he could not prevail with him herein, he would needs have him at laſt to nominate ſome *Iriſh Ruffians*, whom he judged moſt proper for this Execrable Villany. And thus far indeed *Jeniſon* acknowledgeth, he condeſcended. Now one would think a Man, who had taken ſo deep an Impreſſion of horrour and deteſtation of Bloodſhed, ſhould have had ſome ſcruple in concealing ſo Helliſh a Deſign; and much more in nominating the very perſons who were to effect it. But that which ſeems above all moſt ſtrange is, the mighty reward the *Jeſuits* proffered him, in caſe he would joyn with the Four *Ruffians*, in this Deviliſh enterprize. *Oates* informs us, Sir *George Wakeman* was to have *fifteen thouſand pounds to Poyſon the King*, and *Groves fifteen hundred for Shooting Him*. *Dugdale* alſo aſſures us, he had not much leſs promiſed for the like attempt; Yet when theſe *Jeſuits* come to beat the Price with *Jeniſon* (though a Man hard to be wrought upon) they could afford him no more then *twenty pounds*; and this only to be remitted of an Old Debt; a wonderful encouragement to a Scrupulous Man, for ſo deſperate and damned an Exploit.

To conclude this whole matter, The *Papiſts* aver, if the *Juſtice* and *Equity* of their Cauſe be impartially conſidered, the *Integrity* of their Principles rightly underſtood, their formerly *experienced Loyalty* regarded. The contrary practices of their chiefeſt *Adverſaries* remembered. The *Infamy* of the Witneſſes, and *Inconſiſtancy* of their Evidence duly weighed, there will remain no colour of proof, or even Suſpicion of this fatal *Plot*, which hath already drawn ſo much Innocent Blood, and brought no ſmall confuſion both to *Church* and *State*.

The Proceſs againſt my Lord in Particular. § 3.

AFter a long and accurate diſcuſſion of the *Plot* in *general*, The Court proceeded to take cognizance of what in *particular* affected my Lord, the Priſoner at the Bar. In purſuance hereof, the Managers regarding in all things a Methodical exactneſs, firſt demanded before they produced their Evidence, That none of my Lords Councel might ſtand near to prompt, or adviſe him what he ſhould ſay; or anſwer, as to *matters of Fact*, wherewith he was charged. Page 40. &c.

Then they began by way of introduction to ſhew, that they had made it out there was a *Plot*. That this *Plot* was a general *deſign* of the *Popiſh party*; That it was not likely ſuch a deſign could be carried on, without the Concurrence of Perſons of great *Quality*. That therefore The firſt onſet againſt My Lord.

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it was to be presumed, my *Lord* at the Bar, a Nobleman, and a Zealous *Papist* had a share in it; But what that share was, and how far my Lord was engaged, was to appear from the positive Evidence.

It will not be expected that my Lord, one single Person of 68. years of age, long imprisoned, no great Rhetorician, nor much versed in the *Law*, should take all advantages, improve favourable circumstances, and keep equal measures, in sharpness of Wit, and effluence of Speech, with his Opponents, who were ten or twelve of the greatest *Lawyers*, and ablest Judgments of the Nation; Nor is it any wonder, if my Lord confounded with the multiplicity of arguments; astonished at the horrour of the objected Crimes, discountenanced by the Auditory; And (as he acknowledged) half stupified with continual pleading, day after day, without intermission; Did sometimes insist upon matters of less, and omit matters of greater moment, in his own behalf; yet he seemed to manifest much of candour and sincerity, in all his Comportment, and Addressing himself to my Lords his *Judges*, before he began his Plea to the particular Evidence against him; He spoke to this effect.

My Lords Address. Page 25. &c.

"That he was much afflicted to see himself accused by so high an *Au-*
"*thority*, for a Crime which above all others, he ever from his heart
"utterly abhorred; he renounced and detested with much Exaggera-
"tion all *Plots* against the *King* and *Government*; He abjured all *Prin-*
"*ciples* leading to such ends; And disowned all Authority upon Earth,
"which might in the least pretend to absolve him from his *Allegiance*.
"He further shewed how faithful and affectionate he had been, both
"to the late *King* in his *Wars*, and to this in his Exile; He declared he
"had timely notice of his being Impeached, and thereupon might (if he
"would) have easily fled; He likewise acknowledged, That after he
"was in the *Tower*, both the King and the *House* of Lords had sent him
"word, *That in case he would make a Discovery, though he were never so*
"*Guilty he should have a Pardon*; If therefore he had been really con-
"scious of his own Guilt, and might have secured himself by either of
"these means, and would not, he ought to dye for his folly, as well
"as his Crime. He professed he had always a natural abhorrence of
"*Blood-shed*, insomuch that he could not wish the death, even of his
Adversaries that Swore against him. *Lastly*, He desired (as necessary to his defence,) Copies of some *Depositions* made by the Witnesses before several Authorities, on several occasions; which Copies after a long debate upon it, were granted.

Now begin the particular *Depositions*, of each particular *Witness* directly against my Lord, upon which the *House of Commons* grounded their *Impeachment*.

To these *Depositions* as they severally occur, I shall adjoyn my Lords immediate *Answer*; And to his Answer, the *Mannagers* reply, That so both confusion and unnecessary Repetitions, inconsistent with a *Compendium*, may be avoided; Furthermore, because the Mannagers in Summing up their Evidence, made divers ingenious *Observations*, and urged many Reasons to uphold their several Charges, not mentioned in the body of the Tryal. And also for that the *Papists* affirm, there was more of flourishing *Rhetorick*, then strength of *Argument* in the said *Observations*; the order of Law, not premitting my *Lord*, in the close of the Tryal to *Rejoyn* upon them. I shall (to give the best satisfaction

I can to all parties) annex here the plain Substance, both of the said Mannagers *Observations*, and the *Papists Answers*, as they respectively occur, to each particular Evidence.

Dugdale's *Deposition against my Lord.*

THe first Witness that gave Evidence to the particular Impeachment, was *Stephen Dugdale*, who Swore:

That at a certain meeting held at *Tixal* in *Stafford-shire*, about the latter end of *August*, or the beginning of *September*; (78.) My Lord did (together with the Lord *Aston* and others, in the presence of *Dugdale*) give his deliberate full consent, *To take away the Kings Life, and Introduce the* Popish Religion. That on the 20*th.* or 21*st.* of *September* (78.) in the forenoon, my Lord then residing at *Tixal*, sent for him the said *Dugdale* to his Chamber, by one of his Servants, either his Gentleman or Page, whilst he was dressing; That when he came in, my Lord sent out his Servants, and being there alone together; my Lord offered him 500 *l.* for his Charges and Encouragement, *to take away the Kings Life*, And farther told him *He, should have free Pardon of all his Sins, and should be Sainted; For the King had been Excommunicated, and was likewise a Traitor and a Rebel, and an enemy to* Jesus Christ. Pag. 24 *&c.*

My Lords Exceptions.

TO this Deposition my Lord made several grand Exceptions. The first was, That *Dugdale* was a Person of an Infamous Life. That he had Cheated the Lord *Aston* his Master, and defrauded *Work-men* and Servants of their *Wages*. That by his Extravagancies and Misdemeanours, he had run himself into several hundred pounds *Debt*; for which he was thrown into *Goal*, and despaired of ever getting out from thence, otherwise then by making the pretended *Discoveries*. For proof of all which my Lord produced these Witnesses. *Dugdal's* Infamy and Beggery.

Mr. *Sandbridge*, An old Man, and a *Protestant* attested, That *Dugdale* was a *Knave*, and notoriously known, both by him and all the Countrey to be a *Wicked Man*. Pag. 94. *&c.*

Thomas Sawyer attested, *Dugdale* went from My Lord *Astons*, involved in deep Debts; That whilst he was *Bayliff* to My Lord *Aston*, he received and placed to My Lord's Account, several Work-mens *Wages*, which he never paid to the said Work-men; Whereupon great Clamours and Complaints were made of him in the Countrey; That being Arrested for Debt, My Lord *Aston* would not own him for his Servant, at which *Dugdale* Swore *He would be revenged on him.* Pag. 84. *&c.*

The same thing as to *Dugdales* sinister dealing, His being in Debt, Imprisoned, and Disowned by the Lord *Aston*, were attested by Sir *Walter Baggot*, Mr. *Whitby*, a Justice of Peace, and Mr. *Phillips* Minister of *Tixal*. Pag. 87. *&c.*

From hence my Lord drew a second Inference, *(viz.)* That had the Lord *Aston*, and the rest been Guilty, (as *Dugdale* accused them,) It was highly improbable, the said Lord should adventure to exasperate, discard, and leave to Goal and Ruin, a man, at whose mercy they all lay, and who might to retreive his desperate fortune, by making Discoveries, utterly destroy both their Designs and them.

To confront the Testimony of the foregoing Witnesses, the *Mannagers* produced others in favour of *Dugdale*; And as to the matters of his Debts and Beggery.

Pag. 145. &c. Mr. *Noble*, *Stephen Colledge*, (the *Protestant Joyner*, lately Executed for High-Treason at *Oxford*) and Mr. *Roson* a Lawyer, deposed, That at *Dugdale*'s intreaty, they went with him to the *Tower*, to assist him in adjusting his Accounts with the Lord *Aston*, but could not accomplish it, by reason my *Lord* would not, (till the return of a certain Councellour out of the Countrey,) let them see a Book, wherein *Dugdale* said his Discharges were; And that *Dugdale* told them, my Lord *Aston* was Indebted to him (things rightly stated) two hundred pounds.

To this my Lord *Stafford* reply'd, *He should have something to say*; *And desired the Lord* Aston *might be admitted to give an account of this matter*; But it was answer'd, *That the Lord* Aston *stood Indicted for the same Treason, and could not be a Witness.*

Pag. 163. Then my Lord desired Mr. *Lievtenant of the Tower* might speak what he knew. Hereupon Mr. *Lievtenant* declared, *That the Lord* Aston *would have come to an account with* Dugdale *in his* (the Lievtenants) *presence*; *But that* Dugdale *put it off, and said he would come some other time*; but from that time to this, he never heard of him.

Pag. 175. UPon these Testimonies the *Mannagers* made these following *Observations*: *First*, It was manifest from several Circumstances, that *Dugdale* went not away from *Tixal* for *Debt*, (as seems here to be pretended,) but for fear of being apprehended for the *Plot*, which argues he was then Conscious of his own Guilt in that matter. *Secondly*, Whereas *Sawyer* attests, that *Dugdale* Swore he would be revenged on my Lord *Aston*, because he would not own him for his Servant, when Arrested for Debt; If this were true, yet seeing this Revenge was not intended against my Lord *Stafford*, but against my Lord *Aston*; It is Impertinent to be urged against *Dugdale*'s present Evidence.

To which the *Papists* Answer. *To the first*, It is no wonder, if at a time when *Roman Catholicks* were universally suspected and persecuted on account of the *Plot*; *Dugdale* though not Conscious of any Guilt, either in himself or others; Yet being then a *Catholick*, and hitherto undetermined to *set up* for an Evidence, was in some apprehensions of comming into trouble, and might therefore withdraw upon that Score. But what is that to the present purpose? Is it not also undeniably proved here. That *Dugdale* was in Debt: That for *Debt* he was Arrested and Imprisoned: That for his *Misdemeanors*, and not for *Religion* he was discarded by his Master; That at last *Beggery* had surrounded him, *Revenge* possessed him, and *Desperation* Seized him. If this hath been clearly proved, 'tis no hard matter to judge what was his end and aim in making his *Discoveries*; And my Lords further Inferences hereupon are Solid and Good. *To the second*, The Evidence given of *Dugdale*'s Revenge, was not produced as if the said Revenge was chiefly intended against my Lord *Stafford*, but only to shew that *Dugdale* was now upon the point of bidding adieu to Conscience and Honesty; And desirous to satisfie at once, both his Malice, and Penury; He contrived his *Plot* (after the Model given him by *Oates* and *Bedlow*) wherein he Accused some out of *Revenge*, and others, (amongst whom my Lord *Stafford*) as the most proper Persons, to compleat the Number of *Actors* in his Tragick *Farce*.

Pag. 147. IN defence of *Dugdale*'s Reputation in point of Honesty. Mr. *Whitby* declared, That *Dugdale* had been long my Lord *Aston*'s Servant, received my Lord's Rents, made his Bargains, and Governed the rest of the Family: That he dealt honestly with him;

That

That he had heard indeed ſome Trades-men complain he put them off without Money, and would not pay them: But that my Lord would hear nothing againſt him.

William Southal a Coroner depoſed, that he knew no ill of Mr. *Dugdale*, that he was the Lord *Aſton*'s Bayliff, and had a good repute with all thoſe People who had dependence on the Family; But that he himſelf never had any buſineſs with him. Then he (the ſaid *Southal*) gave a large relation how he had perſwaded *Dugdale* (being then in Cuſtody for Debt) to Diſcover the *Plot*; By putting him in mind of his Duty and *Allegiance* to the King; and aſſuring him, *If he would make a timely Diſcovery, he ſhould not only obtain his Majeſties Gracious Pardon, but alſo a Reward of* Two Hundred Pounds. By force of which Argument, *Dugdale* at laſt aſſented to make Diſcoveries; And accordingly gave in his ſeveral *Depoſitions*, firſt in the Countrey before two Juſtices of the Peace, afterwards before the *Councel*; and laſtly before the two *Houſes of Parliament*.

Concerning this *Southal*, the Lord *Ferrers* informed the Court, That he had been very active againſt the *King* in the late *Wars*, and had the Repute of a *Pernicious* Man againſt the *Government*. Pag. 163.

To impugne which Information, the Lord *Brook* declared in behalf of *Southal*, that his Mother had imployed him, and found him honeſt in their Affairs; And Mr. *Gower* farther teſtified, That he found *Southal* extraordinarily zealous in proſecuting the *Papiſts*. Pag. 168.

UPon theſe Evidences, the *Mannagers* made theſe Obſervations, *Firſt*, Mr. *Whitby* not only declares, that *Dugdale* had dealt honeſtly by him; But that my Lord *Aſton* himſelf would hear nothing againſt him. *Secondly*, It is not always the Stewards fault, if Workmen to great Perſons ſometimes want their Wages. *Thirdly*, Mr. *Southal* an underſtanding and zealous man, had (with much difficulty and ſtrong Arguments,) the good fortune at laſt to ſucceed, in perſwading Mr. *Dugdale* to make a fair and plain Diſcovery of the whole *Plot*, to the great happineſs, not only of Mr. *Dugaale*, but of the whole *Nation*

To which the *Papiſts* Anſwer: *To the firſt*, Though *Dugdale* perhaps dealt honeſtly with Mr. *Whitby*, yet he might be a Knave, and deal diſhoneſtly with other People for all that. And if my Lord *Aſton* refuſed to hear any thing againſt him, this very refuſal argues there were Complaints made of him; And my Lord himſelf, in time both gave Ear to his Crimes, and Diſcarded him for them, as is already proved. *To the ſecond*, Thoſe Stewards who receiving Moneys of their Maſters, to pay *poor Labourers their Wages*, ſhall (as *Dugdale* did) *Defraud them of it*, the better to defray their own Extravagant Expences, are no honeſt Men. *To the third*, The *Papiſts* do not underſtand, to what purpoſe this Teſtimony of *Southal*'s is here produced; for it is granted, That *Dugdale* being in Goal, and brought to extremity, did after much ſtruggling and reluctancy of Conſcience, abandon his Soul to *Perjury*; And conceiving fair hopes of Succeſs, by the proſperous adventures of *Oates* and *Bedlow*, by the preſent promiſe of 200 *l.* and by the perſwaſion of *Southal*, a notorious *Cromwellian*, at laſt plunged himſelf into deep and horrid *Oaths*, not only Incredible, but morally impoſſible to be true.

THe ſecond weighty *Exception* made by my Lord againſt *Dugdale*'s *Depoſition was*, That he had directly and palpably *Perjured himſelf*, in divers parts and circumſtances of his ſaid *Depoſition*. For inſtance of this, *Dugdal's* Perjury.

Firſt, *Dugdale* now Swears, He had an exact knowledge, and deep concern

concern in the *Plot*. He was not only a *Confident*, but an *Aſſiſtant* in raiſing *Armies*, *Killing the King*, &c. Now my Lord proved by ſeveral Irrefragable Witneſſes; *That the ſaid* Dugdale *had before at ſundry times, and on ſundry occaſions, with dreadful* Oaths *and* Execrations, *profeſſed he knew nothing of any ſuch thing.* The Witneſſes were theſe.

Pag. 87. &c. Sir *Walter Baggot* and Mr. *Kinnerſley*, both Parliament-men, Atteſted; That *Dugdale* being Examined before them, and other Juſtices of the Peace, though he then took the Oaths of *Allegiance and Supremacy* in their Preſence, yet abſolutely denyed any knowledge of the Plot.

Mr. *Whitgrave* alſo a Juſtice of the Peace, Atteſted, that he earneſtly Preſſed and Encouraged *Dugdale* to make a Diſcovery of what he knew; telling him, *Now he had taken the Oaths, they looked upon him as one of them; and that he would do him all the Kindneſs he could:* To which *Dugdale* anſwered, *Truly for his part, though he had the misfortune to Live amongſt* Papiſts, *yet he never liked their Religion.* Then Mr. *Whitgrave* urged him home, ſaying, *Sir you may do your ſelf a kindneſs, and oblige your King and Country: I am confident you know of this Horrid Plot; pray do not ſtifle your Conſcience with an* Oath of Secrecy: *Let it come out*; *Dugdale* replyed, *as he hoped to be ſaved, he knew nothing of it.*

Thomas Sawyer Atteſted, That two or three days before *Dugdale* began to Impeach, being then at *Stafford* under the Serjeants Hands for Debt, he took a Glaſs of Drink in the preſence of *Sawyer*, and ſaid, Thomas, *I wiſh this may be my Damnation, and my Poiſon, if I know of any Plot or Prieſt.*

Pag. 175. UPon theſe Evidences the Mannagers made this Obſervation, (*viz.*) *That* Dugdale's *denying, and with Execrations forſwearing any knowledge of the* Plot, *is no manner of Objection; for he Forſwore it at a time, when he never intended to reveal it, and was in danger of his own Life; but afterwards he changed his mind, and diſcovered all to* Southal, *and others.*

To which the Papiſts *anſwer*: It is very ſtrange, ſo *palpable* a Perjury proved upon *Dugdale* by ſo *Subſtantial* Witneſſes, in the whole Syſtem and Eſſence of his Teſtimony, ſhould be ſo ſlightly evaded. Is it no manner of Objection to prove that *Dugdale* is Forſworn in his whole Diſcovery? Muſt Credit be given to the Depoſitions of a man, in a matter, whereof he himſelf with dreadful *Oaths* and *Execrations* hath often proteſted the contrary? Is the Conviction of Perjury by the Teſtimony of his *own Mouth* nothing? Why? becauſe out of fear in his former *Oaths*, he *never intended* to Swear Truth. Is this a Rational anſwer? Nay is it not rather perfectly demonſtrative from what is already proved; that for Fear, for Lucre, for Revenge, for Liberty, this man hath actually Sworn to expreſs *Contraditions*, and will not ſtick upon the ſame motives to Swear any thing:

Pag. 74. SEcondly, *Dugdale* had determinately Sworn at Sir *George Wakeman's* Tryal (as my Lord proved by two Subſtantial Witneſſes, the Lady *Marchioneſs* of *Wincheſter*, and Madam *Howard*) that the Meeting or Conſult at *Tixal*, mentioned in the Depoſition, wherein my Lord is ſaid to have been preſent, and Conſenting to the Killing of the *King*; was held preciſely in the Month of *Auguſt* (78.) Now my Lord proved he never was at or near *Tixal* during that whole Month; nor came thither till the 12*th* of *September* following. This he ſhewed by giving an exact Account where he was, every Week and Day throughout that

that Month. The Witneſſes who gave reſpective Evidence to each particular time and place, were, the Marqueſs of *Worceſter*, the Marchioneſs of *Wincheſter*, Mr. *Bonny*, *White* and *Bevan*, Servants to the ſaid Marqueſs.

UPon thoſe Teſtimonies, the Mannagers made theſe Obſervations: *Firſt, The two Ladies who gave Evidence to* Dugdale's *words ſpoken at Sir* George Wakeman's *Tryal, were* Roman Catholicks *and Relations to my Lord. Secondly, They did not agree in their Evidence with one another. The Lady Marchioneſs ſaying, Dugdale* Swore that my Lord *Stafford* was to come down into *Staffordſhire* in *June* or *July*, and was preſent at the Conſult at *Tixal* in *Auguſt*. *Madam* Howard *ſaying, Dugdale* Swore my Lord *Stafford* did come down into *Staffordſhire* in *June* or *July*; and was preſent at the Conſult at *Tixal* in *Auguſt*. *Thirdly, The ſaid Ladies having much concern upon them for Sir* George Wakeman *the Popiſh Phyſitian, they might eaſily miſtake in what they heard. Fourthly, in the* Printed Tryal; *There are no ſuch words of* Dugdale's *mentioned.* page 147.

To which the Papiſts anſwer: To the firſt, The two Ladies, though *Roman Catholicks*, are perſons of that Quality and known Vertue, as admit of no Compariſon in point of Credit with the Witneſſes produced againſt my Lord. That to Vilify my Lord's Witneſſes becauſe *Roman Catholicks*, is contrary to Law, and denotes an Exaſperated mind, willing to deprive *Catholicks* of a Juſt Defence. To the ſecond, The different manner or Phraſe the Ladies uſed in expreſſing themſelves in point of Circumſtance, is not at all material, ſeeing they both joyntly agree, and determinately Atteſt; *That* Dugdale *Swore my Lord was at* Tixal *in* Auguſt, *and then and there preſent at the Conſult*: Which was the Subſtantial thing wherein my Lord proveth him Perjured. To the Third, A deep concern occaſioneth an Attention rather then a Miſtake: And a pretence of a miſtake in a poſitive Witneſs, is an Evaſion, whereby any Verbal Teſtimony whatſoever may be eluded. To the Fourth, *Catholicks* have Experience that many conſiderable matters have been omitted, or otherwiſe inſerted in the *Printed Tryals*, to the diſadvantage of their Cauſe: And as thoſe Printed Copies, though pleaded, were never allowed to be good Evidence for them, ſo ought they not to be alledged againſt them.

THirdly, *Dugdale* Swears in his Depoſition: That at *Tixal* on the 20*th*. or 21*th*. of *September* (78.) My Lord ſent for him by one of his Servants to his Chamber, in the Morning whilſt he was Dreſſing; (which Servant alſo *Dugdale* Swears, was either Mr. *Furneſſe* my Lords Gentleman, or *George Leigh* his Page:) And that when *Dugdale* came into the Chamber, my Lord ſent out his ſaid Servants; and being thus with him alone, *Offered him five hundred Pounds to Kill the King*. In direct oppoſition to theſe particulars, my Lord proved, by the Atteſtation of the ſelf ſame Servants, Mr. *Furneſſe* and *George Leigh*; that he never ſent for *Dugdale*, never was with him alone in his Chamber; nor never diſmiſſed his Servants for that end, all that Morning. For the evincing of which, page 83. *&c*

Mr. *Furneſſe* my Lords Gentleman Atteſted: That he about eight a Clock that Morning, coming to my Lords Chamber, met *Dugdale* in the Hall. *Dugdale* deſired him he would Intreat my Lord to Intercede to the Lord *Aſton* his Maſter in his behalf, that he might go to *Etching* Race: Hereupon *Furneſſe* went into my Lords Chamber, and having ſpoken to my Lord, as *Dugdale* deſired, my Lord bid him be called in; accordingly *Furneſſe* conducted *Dugdale* into the Chamber; when he came in, my Lord asked him ſeveral queſtions about the Race, telling him, he himſelf would bett Twenty Pounds for *Staffordſhire* ſake; Then, page 80, *&c*

after ſome diſcourſe to this purpoſe, my Lord *Stafford* told him; he would ſpeak to his Lord for him; during all which time *Furneſſe* was preſent in the Chamber, together with my Lord and *Dugdale*, and heard the diſcourſe between them. When *Dugdale* had obtained his requeſt, he went out of my Lord's Chamber, leaving *Furneſſe* ſtill there; my Lord alſo as ſoon as he was dreſt went out of his Chamber to my Lord *Aſton*, to ask him leave for *Dugdale*; bidding *Furneſſe* make himſelf ready to go to the Race. *Furneſſe* accordingly made himſelf ready about Nine a Clock, and coming down the Back-ſtairs my Lord *Stafford* met him: Go (ſaith he) to *Etching hill*, and ſee what Betts there are, and take *Stephen Dugdale* along with you to ſhew you the way, for I have asked his Lord leave for him to go: Upon this *Dugdale* having now leave, went along with *Furneſſe* to the Stable, and took Horſe; *Furneſſe* his Horſe was not ready, but he overtook *Dugdale* within half a Mile, and they arrived at the Race together about twelve a Clock: My Lord himſelf (with other perſons of Quality) came to the Race not long after, and returned back to *Tixal* about ſeven at Night.

The ſame Mr. *Furneſſe* and *George Leigh* both Atteſted, that my Lord never ſent either of them for *Dugdale*; that he never bid them go out of the Chamber, or abſent themſelves whilſt *Dugdale* alone remained with him: No, nor did they know that my Lord was ever alone with *Dugdale*, either that Morning, or in his whole Life.

To Infringe the laſt Particle of this laſt Evidence, the Mannagers produced theſe Witneſſes.

Page 132, *&c.* Mr. *Hanſon* Depoſed; That he once ſaw *Dugdale* with my Lord in the Parlour at *Tixal*; but durſt not be poſitive whether they were alone or not.

William Anſell Depoſed, That paſſing through the Court at *Tixal*, he ſaw my Lord walking with *Dugdale*; That he heard no Diſcourſe between them; That there might be more in the Company, but he ſaw no more: And laſtly added, that talking one day with *Dugdale* about the Plot, *Dugdale* anſwered: *God Blaſt him if he knew any thing of it.*

Page 174. UPon theſe Evidences the *Mannagers* made theſe Obſervations. *Firſt, My Lords two Witneſſes,* Furneſs *and* Leigh, *were his own Servants. Secondly, They were very poſitive in a matter hard to remember,* (viz.) That *Dugdale* never was in my Lords Company: *And therefore that eaſie Credit ſhould not be given to them, but rather to* Hanſon *and* Anſell, *who both Swear, that they have ſeen my Lord and* Dugdale *together.*

To which the Papiſts anſwer: Theſe common Sophiſmes and weak Objections made to the Convincing Evidence here given by my Lord in Confutation of the main matter laid to his Charge, argue the Mannagers at a loſs for an Anſwer. To the firſt, Whom could my Lord produce but his Servants, to contradict the Falſities of a man that pretends to have heard him ſpeak *Treaſon* whilſt he was Dreſſing in his Bed-Chamber? Are Honeſt Servants, becauſe Servants no good Witneſſes? To the ſecond; Though it ſhould be granted that at other times, and upon other occaſions, *Dugdale* might have been in my Lord's Company, either unknown to his Servants, or not remembred by them, or even by my Lord himſelf, (which is the utmoſt of what the Teſtimony of *Hanſon* and *Anſell* can amount to) yet this doth not at all weaken my Lord's Evidence, nor clear *Dugdale* from Perjury herein: For the chief things which my Lord's two Servants well remembred, diſtinctly Atteſted, and by moſt remarkable Circumſtances fully proved; was, That my Lord did not ſend either of them for *Dugdale*; nor was *Dugdale* alone

alone with my Lord in his Chamber, on the 21th. of *September* in the Morning: On all which particulars *Dugdale* laid the Streſs of his Evidence; and here it is, he is directly *Perjured.*

FOurthly *Dugdale* at the forenamed Tryal of Sir *George Wakeman* poſitively Swore (as my Lord proved by two Witneſſes, Mr. *Gyfford* and Mr. *Lydcot*, both preſent at the ſaid Tryal,) *That he the ſaid* Dugdale, *having received a Letter on the* 14th. *of* October, *which mentioned the death of a Juſtice of Peace, did the ſame day at an* Ale-houſe *in* Tixal, *impart the Contents of the ſaid Letter to Mr.* Sambidge, *Kinſman to my Lord* Aſton, And Mr. *Philips*, Miniſter of *Tixal*; And that they anſwered, *They heard nothing of it before.* Now to confute this, my Lord produced for Witneſſes the ſame Mr. *Sambidge* and Mr. *Philips.*

Mr. *Sambidge* proteſted upon his Salvation, *Dugdale never told him any ſuch thing; Nor did he ever hear of it, till the* Friday *or* Saturday *Sir* Edmundbury Godfrey *was found at* Bury-Hill.

Mr. *Philips* atteſted, *That he never heard of it, either by Letter or Word of Mouth, from* Dugdale *or any other, till the death of Sir* Edmundbury Godfrey *was publickly known.* To ballance this *Evidence*, the *Mannagers* produced theſe Witneſſes.

Mr. *Anſel* depoſed, *That at the* Ale-houſe, *and day abovenamed, he heard Mr.* Dugdale *mention the death of a Juſtice of Peace; Mr.* Sambidge *and Mr.* Philips *being then both in the Houſe, but not in the ſame Room with* Anſel, *when* Dugdale *told the News.*

William Hanſon depoſed; That at the time and place aforeſaid, he heard *Dugdale* ſay, *There was a Juſtice of Peace Murdered, that lived at* Weſtminſter; And that when *Dugdale* told this News, Mr. *Sambidge*, and Mr. *Philips* were by, and might have heard it, if they would.

Mr. *Birch* and Mr. *Turton* both atteſted, *That about the fifteenth or ſixteenth of the ſame* October, *the news of Sir* Edmundbury Godfreys *Death, was ſpread about the Countrey, and ſeemed to take its firſt riſe from* Tixal.

UPon theſe ſeveral *Evidences*, the *Mannagers* made theſe *Obſervations. Firſt*, Mr. *Sambidge* was ſomething deaf, and might not here when *Dugdale* told him the news of the Death of a Juſtice of Peace. *Secondly*, Mr. *Phillips* the *Parſon*, being perhaps very Studious in his Employment, might be wanting in point of Memory. *Thirdly*, The other Witneſſes produced in Confirmation of *Dugdel's Evidence*, make it out, that he did impart the news at the time, place, and in the preſence of the parties above-mentioned. Page 177. Page 175.

To which the *Papiſts* anſwer. *To the firſt*, If what the *Mannagers* alledge be true, then is *Dugdale* here alſo proved *Perjured* by the *Mannagers* themſelves; For he expreſly Swore at the ſaid Tryal of Sir *George Wakeman*, *That* Mr. Sambidge *both heard and anſwered him.* Saying, *He heard nothing of the news before. To the ſecond*, No honeſt man affirms or denies any paſt words or actions, but according as he remembers; and to pretend want of Memory in a direct *Evidence*, is the common Road, whereby to evade all humane *Teſtimony. To the third*, The other Witneſſes on behalf of *Dugdale*, do in no ſort make out the thing for which they are produced; For *Anſel* doth not own, that *Philips* and *Sambidge* were ſo much as in the ſame Room with *Dugdale*, when he mentioned the death of a Juſtice of Peace. *Hanſon* indeed (herein contradicting *Anſel*) tells us they were in the Room, but could not ſay they heard, much leſs anſwered, to the diſcourſe of *Dugdale*; which is the chief matter of *Perjury* here charged upon

upon him. As for what Mr. *Birch* and *Turton* declared, concerning the Rumour ſoon after ſpread of the death of Sir *Edmundbury Godfrey*, it nothing at all Enervates the preſent proof of *Periury*, ſeeing it may well be true, there was ſuch a report, and yet falſe, that *Dugdale* had ſuch a diſcourſe with *Sambidge* and *Philips*, as he poſitively Swears, and they both as peſitively deny. But enough hath been already ſaid upon this Subject, where we treated of the Death of Sir *Edmundbury Godfrey*.

Fifthly, *Dugdale* in an *Information* given upon *Oath*, Swore; *That preſently after one* Howard, *Almoner to the Queen went beyond the Seas, he was told by* George Hobſon, *then Servant to the Lord* Aſton, *That there was a Deſign intended for the Reformation of the Government to the* Popiſh Religion. Now it was owned and acknowledged in Court, point blank contrary to this *Information*: *That the ſaid* Hobſon *was not Servant to the Lord* Aſton, *nor known by* Dugdale, *three years after the departure of the ſaid* Almoner *out of* England.

Page 178. UPon this proof of *Dugdale's Perjury* the *Mannagers* made this obſervation, (*viz.*) *That* Dugdale's *words cited in the* Information, *are capable of two ſenſes, either they may import*, Hobſon *told him there was a Deſign ever ſince the* Almoner *went away*; Or they may import, Hobſon *told him preſently after the* Almoner *went away, there was a Deſign*; The firſt ſenſe may refer to the matter told: The ſecond to the time when told: The words taken in the firſt ſenſe, argue no contradiction in *Dugdale's Teſtimony*.

To which the *Papiſts* anſwer: The words of the *Information* taken in their plain, obvious and connatural ſenſe, clearly import; Hobſon *related to* Dugdale, *there was a Deſign, which relation* Hobſon *made to* Dugdale *preſently after the time one* Howard *went beyond the Seas*; Nor can any other conſtruction be put upon the words, without manifeſtly wreſting them from their *Genuine ſignification*, as every impartial Reader may ſee; So that the proof here given of *Dugdales Perjury* is unanſwerable.

Dugdalet Subornation of Oaths. THe third main *Exception* made by my Lord againſt *Dugdale's Depoſition*, was, That he, being conſcious of his ill grounded *Evidence*, had endeavoured to *Suborn* divers Perſons, *to make falſe Oaths*; That ſo he might ſtrenghten his own, by others *Perjury*. To make good this Exception.

Page 90. *&c.* *Samuel Holt* a *Proteſtant*, atteſted, *That Dugdale deſiring to ſpeak privately with him*, told him, *If he would Swear that* Walter Moore *carryed Mr.* Evers *away, he would give him* Forty Pounds; bidding him not be affraid to *Swear* for fear of my Lord *Aſton*, for he would hire him an Horſe to get to *London*, and place him ſo, that where he now got one *Shilling*, he ſhould then get *Five*.

William Robinſon atteſted, That meeting with *Dugdale* about a twelve month ago, he the ſaid *Dugdale* perceiving *Robinſon* to be then Dejected and Poor; endeavoured to corrupt him, by giving him a Treat, and aſſuring him, *He ſhould not want Money, if he would pleaſe to be ruled by him*; Then he took an *Handkerchief* out of his Pocket, wherein there ſeem'd to be about *ten pounds*, and bid him, *If he wanted, take Money there.* And laſtly told him, *He could furniſh him with Money, and put him in a way to get Money, if he would come in as Evidence againſt my Lord* Stafford; Which *Robinſon* refuſed to do, not knowing my Lord, or any thing of him.

"*John*

"*John Morral* a *Barber*, gave attestation in these words, *Mr.* Dug-"dale, *the* 6th. *of* August *last was twelve month, sent for me to the* White "Horse *in* Ridgley; *and there when I came to him, he told me*, I knew as "much of the *Plot* as he: *I told him*, I was Innocent of the thing; *He* "*Swore*, God dam him, I knew as much as he. *Then I told him*, If he knew "no more of it then I did, he knew no more then my Lord Mayors "great Horse did. *Then he took me aside*; Come (*said he*) you are a poor "Man, and Live poorly, I can put you in a way whereby you may Live "Gallantly; I will give you *Fifty Pounds* in hand, if so be you will "*Swear* against Mr. *Howard*, Sir *James Simmons*, Mr. *Herbert Aston*, "and other Gentlemen of the Countrey; that they were at such *Meet-*"*ings*, at Mr. *Herbert Astons* upon the *Conspiracy of the Plot*.

To take off the Credit of the two first Witnesses in this matter, (*viz.*) *Holt* and *Robinson* (nothing material being objected against *Morral* or his Evidence,) the *Managers* produced Witnesses to prove they were Persons of evil reputation.

Against *Holt*, one *Sampson Rawlins* a *Taylor* Deposed, that *Holt* was a Drunken lewd Fellow; That he heard him say, *There were none but Rogues would take* Dugdale's *part*; *That he stole some Bottles of Wine out of my Lord* Astons *Celler*; *That he called him* the said Rawlins *Rogue*, because he came up in His Majesties Service; and would have Murdered him, because he took *Dugdales* part.

Against *Robinson*, the Earl of *Macklesfield*, and Mr. *Booth* a *Parlia-* Pag. 138. &c.
ment Man, both Deposed, *That* Robinson *was a Person of evil and pro-*
phane Conversation, making a practice of Cheating at Dice, Cock-fight-
ing, *&c. That he owned himself, upon Examination, to be a Rogue*; *And*
had no other imployment or Livelihood.

To these unquestionable *Evidences* against *Robinson*, my Lord reply'd, *He knew nothing of* Robinson *before*; and added, It was very observable, *That* Dugdale *knowing, it seems his Friend and Comrade* Robinson *to be a* Cheat, *and then in want, thought him a tool fittest for his purpose*, the most easily prevailed upon, *and most proper to make a Knight of the Post*. So that the two last worthy Witnesses, did by their *Evidence*, rather confirm then lessen the belief of *Dugdale's* Tampering with *Robinson* herein.

UPon these several *Evidences*, the *Managers* made these Observations: First, *It was not likely, that* Dugdale *a stranger to* Robinson, *should attempt to Suborn him to Swear against a Person he knew not, and in a matter whereof he was wholly Ignorant*. Secondly, *It doth not appear, that* Dugdale *had any ill will to* Moore, *that should induce him to Suborn* Holt *to Swear against him*. Thirdly, *Both* Robinson *and* Holt *were Infamous Men*; *the one being a* Common Cheat, *the other a* Drunken Quarrelsom Fellow, *and seeming to favour the* Plotters. Fourthly, Morral *was but a Poor* Barber, *of no Reputation, and one who might easily be brought to say what he did*.

To which the Papists *answer*: *To the first, Robinson* was no Stranger to *Dug-*
dale; He was (as the Earl of *Macklesfield* and Mr. *Booth* attested) every where about *Staffordshire*, remarkably known for Cheating at *Dice, Cock-fightings, Rakes*, &c. (exercises also frequent with *Dugdale* himself;) Nor is it material that *Robinson knew not my Lord* Stafford, *nor any thing of him*: It was not *Dug-*
dale's business to find out a Man, who to discharge a good Conscience would Swear *what he knew*; But who to get Money would Swear *what he knew not*; For which purpose *Dugdale* had good reason to think *Robinson* a very proper

Instrument. To the second, It is plain matter of Fact, that *Dugdale* having accused and Imprisoned *Moore* for carrying away *Elver*, but not able to prove it, he would have hired *Holt* to make out his *false* accusation. *To the third*, If *Robinson* and *Holt* were *Cheats* and *Rogues*, my Lord well inferred, they were the more likely to be chosen by *Dugdale* for such Imployments as he had for them. Though for *Holt*, the greatest offence laid to his Charge seems to be, that he Quarrelled with *Dugdale*'s Witnesses, a thinking *no honest Man would take his part. To the fourth*, Though *Morral* was *Poor*, yet it doth not appear but that he was so *honest*, as not to be *Suborned* to *Perjury* by *Dugdale*; And therefore his clear and positive Evidence in this matter ought to stand good. But let it be granted, what the *Mannagers* contest for, (*viz.*) *That because* Morral *was Poor*, Holt *Quarrelsome, and* Robinson *Infamous*; *none of these three Witnesses ought to be believed*; What then will become of all the *Kings Witnesses*? (as they term them,) What shall we believe or say of them? Are they Persons of Repute, Riches, and Honour? Are they not rather the Scum and Refuse of the Nation? Why must credit be denyed to *Beggers or Knaves*, when they accuse their *Coequals* in probable matters? without hopes of Gain? And yet the same credit be allowed to the like *Beggars* and *Knaves*, when they Swear against *Persons of Honour*, Moral impossibilities and contradictions upon large hopes and promises of reward? This the *Papists* take to be hard measure.

TO Counterpoise in some sort this charge of *Subornation* laid to *Dugdale*, The *Mannagers* alledged the like proceedings on my Lords side: To prove which,

Thomas Launder deposed, *That my Lord* Astons *Friends had Summoned him up to my Lord* Astons *Tryal, to give Evidence against* Ansel *and* Dugdale; *and that he was to have an Horse to ride on, and Money in his Pocket.*

Simon Wright, Barber to *Dugdale*, deposed, *That Mr.* Plessington *told him, If he could find a way to take off* Dugdale's *Evidence, or Destroy him, he should have seven hundred pounds.* And that the said *Plessington* and others, would have had him Swear point blank, *That* Dugdale *would have hired him to give Evidence against Mrs.* Price, *and Mr.* Tasborough.

My *Lord* at once to confound this man, by his own *Testimony*, and further to detect the Subornation of *Dugdale* also in this matter; produced a Letter or Paper, Writ and Signed by Wright himself to Sir *James Simmons*: In these words, "*I can, I bless God, with a safe con-*
"*science declare, upon Oath; That Mr.* Dugdale *hath been unkind to me,*
"*in taking his opportunity of my poverty; By reason of a private meeting*
"*of us two by his appointment; He did at that time proffer, If I would*
"*Swear against* You, *and Mr.* Gerrard, *he would Protect me as one of the*
"Kings Evidence, *and I should not want Money. And in the Hall at*
"Westminster, *he said, if I did discover it that day at Mrs.* Price's *Tryal,*
"*he would set me in the* Pillory. *This I have owned to his Face, and*
"*shall not go back from this, and more, for fear, nor favour. So I rest*
"*as you shall find by your Servant*: Simon Wright. This Letter *Wright* acknowledged to be his own Hand word for word. But said, *Plessington* and others had perswaded him to Write it. Thus the Man *Swearing and Unswearing* contradictions against himself; My *Lord* only reply'd, *See what you have under his own hand, I have no more to say to him.*

Page 186. UPon this diversity of Evidence, the Mannagers made this Observation, (*viz.*) *That the Attempts made to Subvert* Launder *and* Wright, *were manifest Signs my Lords Agents endeavoured by Sinister ways to vindicate his Cause.*

To

To which the Papists answer. It is not conceivable how the Evidence given by *Launder* and *Wright* can draw the least suspition of Subornation on my Lord or his Friends: For the Proposal made to *Launder* was by my Lord *Aston*'s Friends, and in behalf of my Lord *Aston*, and not of my Lord *Stafford*. Besides the words understood with that Candor and Sincerity they seem to have been spoken by my Lord *Aston*'s Friends, import no more then this. That if *Launder* would like an Honest man, give True Testimony of what he knew against *Ansel* and *Dugdale*, at my Lord *Aston*'s intended Tryal at *London*; his necessary Expences should be born, and the convenience of an Horse provided for his Journey thither. Where's the Subornation here? As for *Wright* indeed, he is a person of that *Matchless* worth, and hath given so clear proofs, both of his own unshaken Integrity, and *Dugdale*'s Innocence, that he hath highly deserved the Title, Credit, Dignity, and other the Emoluments of an Associate to the *King's Evidence*. In fine, he hath said so much both for himself and *Dugdale*, the *Papists* know not what, or how to say more.

Dugdale's *Improbable manner of Swearing.* Page 22.

THe last great Exception made by my Lord against *Dugdale*'s Deposition was: That *Dugdale* Swore in this very Tryal, the *Jesuits* had Entrusted him with all their Letters, that there came to his Hands whole Packets to and from several persons, in several places, all containing most Damnable Treason; many of which, he said, he opened, read and knew the Contents: Yet though the preserving two or three; nay, even one single Letter, under the Authors hand, might have been so highly advantageous to the proving the Truth, both of his own Evidence, and the whole Plot in general: Nevertheless he could not produce one Scrip or Line to back his Assertion, or clear himself from the Forgeries laid to his charge.

To obviate this Exception; the *Mannagers* brought in two Sisters, *Elizabeth* and *Anne Elder*: These Sisters Deposed; That *Dugdale* coming one day to their House with several Bundles of Papers in his Pockets and Breeches, desired them to Burn them; saying, the Times were troublesome, and he being to Travel to divers places, if he were taken people would think him a Plotter, having all those Papers about him: That hereupon *Elizabeth* Burnt all the Papers, except one Book, concerning which *Anne* asked *Dugdale*, whether or no that also should be Burnt? He answered no, lay that by, it may do good seven years hence; *There is no Treason in it.* *Elizabeth* reply'd, Is there any thing of Treason in the others? He said, *Do you think there is? Elizabeth* further Deposed; She did see Mr. *Dugdale* take a Glass of Sider, and hear him say, and *Wish it might be his Damnation; and he might Sink in the place where he stood, if he knew any thing of the Plot.*

FRom the Testimony of these two Sisters, the Managers drew these Inferences. *First* Dugdale's *Fears and Apprehensions in Burning so many Bundles of Papers, denote there were matters contained in them, which if known, would have Discovered the Plot. Secondly, When the Question was proposed to* Dugdale, *whether his Little Book should be Burnt or no: He answered*; No, There was no Treason in it; *which Ambiguous manner of Expression, argues there was something of Treason in the other Bundles.*

To which the Papists answer. To the first, it is not Credible; that *Dugdale* as yet a Catholick should bring to an Alehouse, and deliver to two Women, in the very heat of the Discovery of the Plot, his Pockets and Breeches full of Papers, containing High Treason: Surely he might with more Secrecy and Safety, have Burnt them in his Chamber. But in short, if what the Women Attest be

True;

True; it is very easie to learn from the very words of *Dugdale* himself, the reason why he brought, and caused to be Burnt those useless Writings, (*viz.*) Not because there was any *Treason* in them, but because the *Times*, (as he said) being Troublesome, such *Bundles of Papers* found about a Travelling *Papist*, though never so Innocent, would afford matter of Search, and *Suspition* of his being a *Plotter*. To the second, Why should we amuse our selves or others with extorted Inferences drawn from Ambiguous Expressions here; none surely knows *Dugdale's* mind better then *Dugdale* himself; we have his words Attested by this very Witness, to declare his meaning, let him tell us in plain *English* his own Sentiment in this Affair. *I wish* (saith he) *this may be my Damnation, and that I may sink in the place where I stand, if I know any thing of the Plot.* Now let the World judge of *Dugdale* and his meaning.

Titus Oates's *Deposition against my Lord.*

Page 46, &c. THe next Witness that gave Evidence to the Impeachment against my Lord, was *Titus Oates*, who Swore, That in the year (77.) whilst he remained in *Spain*, and at *St. Omers*, he saw several Letters Signed *Stafford*, wherein my Lord assured the *Jesuits* of his Fidelity and Zeal, in promoting the *Catholick Design*. That in the year (78.) The said *Oates* being then in *London*, my Lord came to the Chamber of one *Fenwick* a Jesuit now Executed, and there received a *Commission* from him in *Oats's* presence, to be Pay-*Master-General* to the Army: That upon a Discourse with the said *Fenwick*, my Lord said, he was of necessity to go down into the Country to take account how Affairs stood there: And did not doubt, but at his return *Groves* should do the busines And further added, speaking of the King; *He hath deceived us a great while, and we can bear no longer.*

My Lords Exceptions.

AGainst these *Depositions*, my *Lord* made these several *Exceptions*. The first was grounded thus; It was not to be imagin'd, that so many and great Conspirators, so well provided with Moneys, and Preferments, as *Oates* pretends; all engaged in a Design so dangerous, so important to them to be kept Secret, would or durst permit Doctor *Oates* their Cabinet Councellour, and Main Engine, to be reduced to such an Extremity of *Want and Penury*, that he had not *Bread* to put in his mouth. Yet my Lord was ready to prove in open Court, that at the very nick of time, when this *Oates* would have men believe, he was most Entrusted and Employed in carrying on the Con-
Page 728, &c. spiracy, just then he was in so Poor and Despicable a condition, so forsaken and contemned by all, for his Debauched Life; that he *Begged at Doors for Six-pence.*

Page 130, &c. To this Doctor *Oates* himself answered, he would save my Lord the trouble of proving any such thing; saying, a mans *Poverty* was no objection against his *Honesty*; and as he had not *Six-pence* in his Pocket when he began the Discovery, so hath he often wanted *Two-pence* since the same Discovery; having Expended *several hundreds of Pounds* in His Majesties Service, more then he had received: To prove this he made a Calculation of Sums given him by *Great Persons*, Sums allowed for taking of *Jesuits*, and Sums gained by Printing of *Narratives*, of all which he said, he had nothing left.

Upon

UPon this Argument of my *Lord's* drawn from *Oates* Beggery &c. The *Managers* made no *Obſervations*. Why they did not, is a Queſtion; ſome ſay becauſe the *Doctor* himſelf undertook to anſwer it: Others affirm, becauſe they knew the more they ſtirred in it, the woſſe it would be; and ſo thought beſt to bury it in Silence and Oblivion.

To the anſwer therefore given by Doctor Oates; *the Papiſts reply*, *Poverty* is an Objection againſt *Honeſty* in a perſon addicted (as *Oates* was) to Idleneſs, Vice, and *Debanchery*: And though a man may be Poor and Honeſt too, yet the ſame man at the ſame time, and in the ſame Circumſtances *Oates* pretends to have been in, could never be *Poor* and a *Plotter* too: Could he be Privy to all the Grand *Commiſſions*? Could he be imployed in all the deep and Damnable *Conſults*? Could he have at his mercy the Lives and Fortunes of all the Chief *Conſpirators*? Men Stocked with Banks of Money, ſufficient (if we will believe him) to raiſe Armies, and provide for two hundred thouſand Soldiers? Could this man nevertheleſs *Starve* in a manner for *Bread*? Could he Beg for an Alms at the Papiſts Doors? Could he be rejected and contemned as an Idle Vagabond, by the very perſons who thus had put their Lives into his Hand? This is ſuch a *Paradox*, as none in their Senſes will ever believe. But the moſt pleaſant paſſage (if there could be any pleaſure in Bloody Perjury) is his *Miraculous* way of ſpending *great Sums out of nothing*, in His Majeſties Service: He confeſſeth he had not Six-pence at the breaking forth of the Plot; yet he Swears he is ſeveral hundreds of Pounds worſe ſince the Diſcovery of it. How came he then by all this Money? Why, he got it by way of Preſents from ſome great *Perſons*, by taking of *Jeſuits*, and Printing of *Narratives*: But did not all theſe Gains accrue unto him on the account of the Plot? On what other ſcore were theſe Preſents made by *Great Perſons*? Had he any other *Trade* or Livelyhood then that of the *Kings Evidence*? Is it not too manifeſt thoſe Guifts were beſtowed on him as a Reward of *Paſt*, and Encouragement of *Future Swearing*? Would to God ſuch great Perſons would duly conſider the Diſmal Conſequences which neceſſarily follow ſuch *Rewards*:

This Oates *affirms in* Langhorns *Tryal.*

THe ſecond *Exception* made by my Lord againſt *Oates*'s Evidence, was; That the ſaid *Oates* had *Perjured* himſelf in two *Depoſitions*, *directly contradictory to each other*: For proof of this, my Lord appealed to divers of the *Lords* themſelves, who were preſent at both the ſaid *Depoſitions*; amongſt whom the Earl of *Berckley* being required to ſpeak what he knew: Atteſted, 'That my *Lord Chancellour* did ask 'Doctor *Oates* at the Bar of the Houſe this Queſtion, (*viz.*) My Lords 'deſire to know if you can accuſe any other *perſon or perſons of what* 'quality ſoever? And you are encouraged by their Lordſhips to Ac-'cuſe them. *Oates* his anſwer was, my Lords, *I have no more to Accuſe in Relation to* England: Notwithſtanding which Depoſition, he afterwards in another (with unſpeakable Inſolence) expreſly Accuſed the *Queen* in a matter (as he thought) of no leſs then *High Treaſon*, From hence my Lord concluded, if the *firſt Depoſition* was true, *Oates* was Perjured in the *Latter*: If the *Latter* was true, he was Perjur'd in the *Firſt*; ſo that which of the two ſoever is True or Falſe, he is guilty of *Perjury*.

Page 101.

UPon this Proof, the *Managers* made theſe Obſervations. *Firſt Doctor* Oates *having ſaid much, and having many things in his Head, could peradventure not remember on a ſudden this particular of the* Queen. *Secondly, The Evidence which Doctor* Oates *gave afterwards of the* Queen *was not poſitive, nor of his own knowledge, but words which he heard ſpoken in a* Room *in which he was not himſelf;*

Page 179.

but coming in afterwards, he saw the Queen *there. Thirdly, It might not be so clear to Doctor* Oates *whether the* Queen *was a Person capable of an Accusation, so as to be tryed for Treason.*

To which the Papists answer. To the first, 'Tis an evasion contradictory to common Sense; that a man whose Business and Study it was to *Discover a Plot against the Life of the King*, and who by several long premeditated Depositions, had (as he said) discharged himself of all he knew, should notwithstanding all this while never remember the most Essential part, (*viz.*) The Inhumane *Murder of the King, Designed and Consented to by his own Royal Consort.* To the second, *Oates* Deposed upon Oath he heard such words, and circumstanced them with such particulars of Time and Place, as plainly denote he intended a full and home Accusation against the *Queen.* And granted, his Evidence was not positive, yet the matter was of such dangerous consequence, as ought not to be concealed, especially, at a time when he was upon his Oath, to speak all he knew, and when he pretended by Discoveries to Save the *Life of the King.* To the Third, Though *Oates* left himself to be very Stupid, yet he could not be so ignorant as not to know, that a *Queen* designing to *Murder the King her Husband*, is guilty of *Treason*; and whether She was lyable to a *Tryal* or no. *Oates* was guilty of *Perjury*; In that being Commanded and Encouraged by the Lords to make an entire Discovery of all he knew against any *Person* of what Degree or *Quality soever*; he expresly Swore, *He had no more to Accuse in* England. Indeed the Transcendent Lustre of the *Queens Virtue, Innocence and Endeared Affection to His Majesty*, leaves no *place for Calumny to fix upon:* And the bare *Charge* of so foul a *Crime*, upon so Renowned a *Goodness*, is of it self Independent of other Contradictions, a more then sufficient *Conviction of* Oates's *Perjury.*

Oates's *new Forgeries.* Page 102.

THe third Exception made by my *Lord* against *Oates*'s Evidence was; That though *Oates* in his several *Depositions* (particularly those taken before the *Privy Councel*, and *House of Lords*) did often affirm he had given an entire and Faithful account, to the best of his remembrance, *Of all whatsoever he knew, as to the matters and persons concerned in the Plot:* And though he had then also time and opportunity to reflect and deliberate upon what might any wise relate to my Lord *Stafford* in that affair; yet he never accused him of any other thing, then only, *That he had seen beyond the Seas some Letters Signed* Stafford, wherein the Writer had testifyed his zeal for the Catholick Design: But when afterwards consulting with himself, and possibly with some others, he found this flamm of his would not amount to any thing material whereon to ground an Impeachment, he Invented and Imposed upon my *Lord* a *Commission of Pay-Master-General to the Army*; a device he never once thought on before. From which proceeding my *Lord* argued; If there were such a *Commission*, received by my Lord at *Fenwick*'s Chamber, in such a manner as *Oates* relates; this *Commission* being a matter of so grand Importance, and the Delivery of it accompanied with so many remarkable circumstances in the very presence of *Oates.* It is impossible that the said *Oates*, who (as he saith) Page 27. on purpose for Discovery, had taken Notes and Memorials, even of Trivial Occurrences, should forget, and by conseqence omit a thing of this high concern in his former *Depositions.* But if there were no Page 126. such *Commission*, (as Most assuredly there was none) then is *Oates* Perjured in his present Evidence: And verily (added my Lord) if it be permitted to this man dayly to frame *New Accusations*; If easie credit be given to all his Fables, and whatsoever he shall from time to time *Invent*, may pass for *good Evidence*; Who can be secure? At this rate, he may by deegrees Impeach the whole Nation, for Crimes which neither he, nor any man else ever yet dream'd on.

Upon

UPon these Arguments and Inferences made by my Lord; the *Mannagers would not*; and the *Papists* say, *They need not make any remarks.*

THe fourth *Exception* made by my Lord against *Oates* his Evidence, was: That whereas *Oates* now declares, *He never was really a* Roman Catholick, *but only Feigned himself to be so*; My Lord often and strongly insisted, That a *Protestant of the Church of England*, who convinced in his Judgment of the Truth of his *Religion*, shall nevertheless, on what pretence soever *Provoke God, belye his own Conscience, and violate all Sacred things*; *So as to make a solemn Abrenuntiation of his Faith and Church.* To profess himself a *Roman Catholick*, to live amongst them, to *practice* Religious duties with them, for three years together; and this to such an height of *Sacriledge*, as frequently to *receive the Sacrament*, and perform daily external *Worship*; to it, (which in the Judgment both of *Protestants and Catholicks* was to him, so believing direct, and gross *Idolatry*) cannot rationally be supposed to stick at *Perjury*, when *Advantageous* to him; And, ought not by the *Law of God or Man*, to be credited or admitted for an *Evidence* against any one; But rather *detested and abhorred*, by all good Men, as undeserving the name of a *Christian.*

Oates his Apostacy and Sacriledge.

Page 123.

UPon this pressing Inference the *Mannagers* made this following Observation: *Suppose Dr.* Oates *did out of* Levity, *or for want of being well grounded in his own, turn to* another Religion. It is hard, *That the matter of changing his* Religion, *when nothing else is laid to his charge, should disparage his Testimony, seeing many who have changed their* Religion *more then once* (*Example Mr.* Chillingworth) *are yet esteemed* credible Persons.

To which the Papists *answer*: To change from a *wrong* to a *right Religion*, is no disparagement; but *Protestants* will hardly allow *Oate's* first pretended change to be such. However my *Lord* insisted not upon the *changing* but the *feigning Religion. Oates* did not out of *Levity*, or *Conviction* of *Judgment* (as Mr. *Chillingworth*) turn from his *own* to *another Religion*: but remaining *interiourly* of the same belief, he *exteriously* renounced what he so believed, and *Sacrilegiously* practised the direct contrary, than which nothing can be more detestable. Nay he affirmeth, *he often received the* Sacrament: *and took dreadful* Oaths of Secrecy *in pursuance of most Bloody and Hellish* Designs. If this be true, what credit can be given to a *Monster* accustomed and inured (by his own confession) to such damnable *Oaths.* But if it be false (as indeed it is) then is he *Perjured* in his *Evidence.*

inured

Edward Turbervil's *Deposition against my Lord.*

THe last Witness that gave direct Evidence to my Lord's Impeachment, was *Edward Turbervil*, who Swore, That in the year (75.) he was perswaded by his Friends, to take upon him the *Fryers* habit at *Doway*; That being weary of that state, he left it, and came into *England*, for which he incurred the displeasure of his Friends, and Relations, who (he said) *discountenanced* him, and could not endure to see him; That hereupon he went into *France*, and Arrived at *Paris*, and became acquainted with the now Prisoner, my *Lord Stafford*, by means of two *Priests*, Father *Nelson*, and Father *Turbervil*; That after a fortnights acquaintance, and *promise of Secrecy*, my Lord proposed unto him a way, whereby as he said, he might not only retrieve his

his credit with his Relations, but alſo make himſelf an happy Man; which way, at laſt my *Lord* told him in direct terms, was, *To take away the life of the King of* England, *who was an Heretick, and conſequently a Rebel againſt God Almighty*; For circumſtantial inſtances of this, *Turbervil* Swore, That he had, during that fortnights acquaintance, frequent *acceſs to my Lord* at his Lodgings; That when he took leave of him to come for *England*, his Lordſhip was troubled with the *Gout*, and had his Foot on a Stool; That my *Lord* had appointed him to wait for him at *Diepe* in order to his coming over with him in a Yacht; That accordingly *Turbervil* went to *Diepe*, but that being there, my Lord writ him word, *he had altered his reſolution, and would take his Journey by the way of Callice*, and that he ſhould haſten to attend his Lordſhip at *London*; That hereupon he came into *England*, but ſoon after returned again into *France*, becauſe not being willing to undertake my Lord's propoſals, he was diſcountenanced by his Friends, reduced to poverty, And thought himſelf not ſafe even amongſt his own Relations.

My Lord's Exceptions.

Turbavil's Perjury in ſeven Particulars.

TO this depoſition my *Lord* pleaded in his defence; That *Turbervil* had *Perjured* himſelf in ſeveral parts of this, and other his Depoſitions.

Firſt, *Turbervil* here Swears my Lord made a Propoſal to him in direct terms, *To take away the Life of the King*. Now my Lord proved; That ſince the diſcovery of the Plot, The ſaid *Turbervil* did abſolutely Forſwear any *knowledge* he ever had of any *deſign*, or any *Plot* whatſoever againſt the *King's Perſon, Life or Government*; The Witneſſes were theſe.

Page 120 &c. *John Porter*, a *Proteſtant*, atteſted, That *Turbervil* told him ſeveral times, He did verily believe, neither the *Lord Powis*, nor the reſt of the *Lords* were in the *Plot*; And the Witneſſes that Swore againſt them, he believed were all *Perjured*, and could not believe any thing of it. *Porter* Anſwered, If there was ſuch a thing, He (*Turbervil*,) having been beyond Seas, muſt certainly know of it; *Turbervil* reply'd, *As he hoped for Salvation, he knew nothing of it, neither directly nor indirectly, againſt the King's Sacred Perſon, nor Subverſion of the Government*. And he further added, *Although I am a little low at preſent, and my Friends will not look upon me, yet I hope God Almighty will never leave me ſo much, as to let me Swear againſt Innocent Perſons, and Forſwear and Damn my ſelf.*

Pag. 122. Mr. *Talden* a *Proteſtant* and *Barriſter at Law*, atteſted, That he heard *Turbervil* ſay, in an heat, theſe words, (*viz.*) *God damn me, now there is no Trade good, but that of a Diſcoverer; But the Devil take the Duke of* York, Monmouth; Plot *and all, for I know nothing of it.*

Pag. 152. To Confront theſe Teſtimonies, the *Mannagers* produced one Mr. *Powel* and Mr. *Arnold*, who depoſed, That *Turbervil* told them, *He had much to ſay in relation to the* Plot, but did not name any particulars, fearing (he ſaid) he might be diſcouraged in it.

Upon

UPon theſe Teſtimonies of Mr. *Porter* and Mr. *Yalden*, The *Mannagers* made theſe Obſervations. Firſt, *It is not probable, that* Turbervil *deſigning to be a* Diſcoverer, *ſhould diſable himſelf ever to be ſo, by Swearing Horrid Oaths, he knew nothing of the* Plot. Secondly, *The Teſtimony of* Porter *and* Yalden *are oppoſed by the contrary Teſtimony of* Powel *and* Arnold,

To which the Papiſts *anſwer*: *To the firſt*, It is not improbable, but very likely, that *Turbervil* as yet not fully reſolved, to make Shipwrack of his Conſcience and Honeſty, did often proteſt, *He knew nothing of the Plot*; And if the poſitive atteſtation of two credible Witneſſes may be admitted for good Evidence: It is not bare probability, but juſt and ſolid proof that he did ſo; And by conſequence, his preſent Diſcoveries ought not to be regarded, otherwiſe then as the new and gainful Inventions of a *Perjured* Man. *To the ſecond*, The Teſtimony of *Powel*, and *Arnold* hath no manner of weight againſt my *Lord's* Evidence, but rather compleats the charge of *Perjury* againſt *Turbervil*. For it is granted, that *Turbervil* hath ſaid and Swore, both to *Powel*, *Arnold*, and the whole *Houſe of Parliament*, *He knew much of the Plot*. But this being directly contradictory to the dreadful Oaths here atteſted by *Porter* and *Yalden*, and no wiſe denyed by *Powel* and *Arnold*; It followeth by the Teſtimony of all the four Witneſſes, that *Turbervil* is guilty of *Perjury*.

SEcondly, *Turbervil* Swears: *That during the Fortnights acquaintance with my Lord at* Paris, *he had, by means of the* Prieſts, *frequent acceſs to him, at his Lodgings there.* Now my Lord's Gentleman and Page, who both then conſtantly waited on him, atteſted, *They never once ſaw* Turbervil *there*; And *Turbervil* himſelf acknowledged in Court, *He knew them not.* Page 109.

To qualify this *Evidence*, *Thomas Mort* was called, who depoſed; Page 151. "*That he being at* Paris *and deſirous to return into* England; Turbervil "*told him, his Brother the* Monk, *had introduced him into the favour of a* "Lord, *by which means they might both of them have the convenience of* "*paſſage in a* Yacht, *which ſtaid for my Lord at* Diep. *That hereupon they* "*went to* Diep, *but finding no* Yacht *there*, Turbervil *told him, If they* "*went to* Calis, *they might go over with my Lord from thence in the* Yacht. At laſt they light on a Fiſher-Boat at *Diep*, and ſo came over in it; But that this forementioned *Lord* was my Lord *Stafford*, or that he ever ſaw *Turbervil* in my Lord's Lodgings, or Company at *Paris*, or elſe-where, he could not ſay.

UPon theſe Teſtimonies, the Mannagers made this Obſervation: (*viz.*) *The* Prieſts *had ſuch a tranſcendent Influence over my* Lord, *as might gain admittance for any whom they pleaſed, not only into my* Lord's Houſe, *but alſo into my* Lord's Heart, *without the privity or knowledge of his Servants. Now it plainly appears by the atteſtation of* Mort, *that* Turbervil, *through his Brother the* Monk's *means, was become my* Lord's Favourite.

To which the Papiſts *anſwer*: It is not proved, either that the *Prieſts* had ſuch a Tranſcendent Influence over my Lord's *Houſe* and *Heart*, or that *Turbervil* through their means, became a Favourite? *Mort* indeed tells us, *Turbervil* told him, *His Brother the* Monk *had Introduced him into the Favour of a* Lord; *And this Favour only, to come over with him in a* Yacht. For the Truth of which alſo he had only *Turbervil's* word, and the thing it ſelf never performed. Muſt we from hence infer, *my Lord had given his Heart to the Prieſts*, and they had Introduced *Turbervil* into it? A ſtrange Inference: But let it be granted, my Lord had a real Friendſhip and Kindneſs for the *Monks*, what then? How is it proved, they imployed their Intereſt with him, in Trayterous *Deſigns*? Why? *Turbervil* Swears it. Thus one *Forgery* is made uſe of to ſupport another, and nothing

but proofleſs Fictions to make all out. Yet to come more cloſe to the preſent Evidence. Had the *Prieſts* Introduced *Turbervil* into my Lords acquaintance and favour; this could not be done Inviſibly to the Servants; ſome body muſt needs ſee and know, when they came in and out; My Lord was then in Lodgings, and had none but two Servants about him; *Turbervil* never pretends either the *Prieſts*, or he, made a ſecret of their viſits; Their acceſſes to my Lord (he ſaith) were very frequent, as the nature of the buſineſs, and pretended intimacy with my Lord, ſeem'd to require. The Condition of *Turbervil* was alſo ſuch, as might well render him deſirous of the Servants acquaintance and Friendſhip; eſpecially being then (as he ſaid) immediarly to go over in the *Yacht* with them, and to continue employed in my Lords *Deſigns* and Service at *London*. Now that a Man in theſe Circumſtaces, ſhould not know theſe Servants, nor be known, or ſo much as once ſeen by them; is Morally Impoſſible.

THirdly *Turbervil* Swears, That when he took leave of my Lord at *Paris*, to come for *England*, his Lordſhip was troubled with the *Gout* in his Foot. Now my Lord proteſted in the preſence of all that knew him, he never had the *Gout* in all his Life; His Servants alſo who then lived with him, (*viz.* Mr. *Furneſs* and Mr. *Leigh*) gave at- Page 108.
teſtation, they never knew him ſubject to that Infirmity; only ſeveral years ſince, he had been troubled with the *Sciatica*, which my Lord confeſſed, and the *Earl of Stamford* teſtified; made him ſometimes formerly (though never at *Paris*) walk with a Staff.

UPon theſe Teſtimonies, the *Mannagers* made no Obſervations. But the *Papiſts* Avouch, here is alſo direct *Perjury* proved upon *Turbervil*, by two Credible Witneſſes. And though the ſubject of the *Perjury* ſeems not to be materrial to the main Accuſation, yet he that ſhall wilfully *Perjure* himſelf in any one Circumſtance, ought not to be credited in the whole; Seeing Nature it ſelf, abhors the Teſtimony of a Man, who hath once *Invoked Almighty God to bear Witneſs to a Lye.*

FOurthly *Turbervil* Swears, *That after his refuſing to be a* Fryer, *he was diſcountenanced by the Lord* Powis, *and others of his Friends and Relations, ſo that he durſt not appear amongſt them.* Now my Lord proved, by ſeveral Witneſſes. That after his return from the ſaid *Fryers*, he was civilly treated, and charitably entertained, by his ſaid Friends and Relations. *To make this good,*

John Minehead atteſted, *That* Turbervil *after his coming from* Doway, Page 113.
lay in the Houſe of the Earl of Powis, *his former Maſter, and was courteouſly entertained, both by my* Lord, *and the whole Family.*

John Turbervil, Brother to the Deponent, atteſted, *He never knew that any of his Relations gave him an Angry word; but on the contrary, when he went to* Paris, *his Siſter beſtowed on him Seven Pounds to bear his Charges*; Upon which he ſaid, *He would never trouble them more.*

UPon theſe Teſtimonies, the *Mannagers* made theſe Obſervations, *Firſt, Though* Page 181.
Turbervil *might peradventure* (*as* Minehead *atteſts*) *be civily Treated by my Lord* Powis *in publick, yet what Reproaches or unkind words might paſs between my Lord and him in private,* Minehead *might not hear.* Secondly, *It was no great Kindneſs in* Turbervil's *Relations, to give him Seven Pounds* (*as his Brother atteſts*) *never to ſee him more; They rather purchaſed his abſence, then did him a Kindneſs by ſuch a Favour.*

To which the *Papiſts* anſwer: *To the firſt*, Groundleſs Surmiſes of private unkindneſſes, which none ever yet came to the knowledge of, nor *Turbervil* him-

ſelf

ſelf ſo much as pretends, Is a ſtrange way of clearing a Man in open Court from the guilt of *Perjury*; To frame and fancy things that poſſibly might be, and draw prejudicial Inferences from thence, as if they actually had been, is unjuſt proceeding. *To the ſecond, Turbervil* (as his Brother atteſts) never had one angry word from his Relations; and when his Siſter gave him Seven pounds, it was not to purchaſe his abſence, nor did they turn him away. But he himſelf, aſhamed it ſeems of his paſt miſdemeanours, and confounded at the goodneſs of his Friends. Said, *He would never trouble them more.*

Fifthly, *Turbervil* in his Information given to the Houſe of *Commons* Swore: *That he came to Live with the Lord* Powis *in the year* (73.) *and came into* England *in the year* (76.) But the next day after he had given in this Information, he altered the aforenamed Dates; and inſtead of (73.) cauſed to be inſerted (72.) And inſtead of (76.) cauſed to be Inſerted (75.) which Alteration, my Lord affirmed, included Perjury. Page 106. Page 180.

Upon this proof the Managers made this Obſervation: *An Honeſt man may miſtake as to point of time in an Evidence given even upon Oath: And to Rectify ſuch a miſtake the very next day after it was committed, denotes rather* Tenderneſs of Conſcience *then Perjury in* Turbervil.

To which the Papiſts *anſwer.* No Honeſt man will poſitively Swear to what he knows not: And it is argued, *Turbervil* when he gave in his Information, certainly knew whether the matters and circumſtances he then Swore to, were *True*, or *Falſe*, or *Dubious*: If the firſt, he is Perjured in the *Alteration*; If the ſecond, he is Perjured in the *Information*; If the third, he is not a perſon of Honeſty and Credit, who will poſitively Swear without Heſitation to a thing of which he is ignorant *whether True or Falſe?* And therefore the Alteration made upon ſecond Thoughts cannot in ſuch a Caſe be juſtly imputed to *Tenderneſs of Conſcience*, but to ſome, not before conceived Apprehenſions, of being taken Tardy in a Lye.

Sixthly, *Turbervil* in the Information given to the ſaid Houſe of *Commons*, and Exhibited in Court, Peremptorily Swore: That my Lord came over out of *France* in the Company of Count *Gramount*, by the way of *Calais*. In direct oppoſition to this Information, my Lord proved, that he neither came out of *France* in the Company of Count *Gramount*, nor by the way of *Calais*; but by the way of *Deep*, a Month after Count *Gramount* was in *England*. Page 112.

The Witneſſes who gave Atteſtation of this, were Mr. *Wyborne*, who went over from *England* to *Deep* in the ſame Yacht which fetched my Lord; and Mr. *Turneſs* and *George Leigh* my Lords Servants, who came with my Lord in the ſaid Yacht from *Deep* to *England*. Page 110.

Upon theſe Proofs of Perjury, the *Managers* made this Obſervation. *When Mr.* Turbervil *Depoſed, My* Lord *came over by the way of* Calais *in the Company of Count* Gramount; *it could not be his Intention to ſay this as a matter of his own knowledge, ſeeing he himſelf in the ſame Affidavit tells us,* He came away before my Lord, and had not his paſſage with him: *But the words Candidly taken, are to be underſtood, That he was informed, my* Lord *came over by the way of* Calais *in the Company of Count* Gramount: *Now that Mr.* Turbervil *was thus informed, is evident, as well by the Letter which (he ſaith) he received at* Deep *from my Lord, as alſo by the aforementioned Atteſtation of* Mort *who ſayeth, That being at* Deep, Turbervil *told him, if they went to* Calais, *they might go over with my Lord in the Yacht; ſo that in the whole, Mr.* Turbervil *may be ſaid to have been peradventure ſomething unwary in expreſſing himſelf, but not Perjured in his Evidence.* Page 182.

To

To which the Papists *answer*: To excuse a man from Perjury, by pretending an occult meaning and intention in the Swearer, not expressed in the words of his Oath, is such an Evasion, as if admitted, would destroy the Integrity of an Oath, and elude all proof of Perjury whatsoever: *Turbervil* Swears in down right terms, my *Lord* came over by the way of *Calais* in the Company of Count *Gramount*, without any addition *That he was Informed so*. In which Oath he is directly Perjured; for he Swears as an absolute Truth, and without Restriction, what of it self is an absolute Lye, and what at best he could but Guess at, by report and hera-say. It is true indeed, he contradicts himself in the sequel of his Information, by saying *He came away before my Lord, and had not his Passage with him*; but it is connatural to *Perjury*, to include contradictions; Wicked Men are often blinded with Malice, Passion, or Interest; And no wonder to find Incoherence of parts, in a Story divested of Truth. The only thing can be collected of Probability in this whole matter is, That *Turbervil* being at *Paris*, in an Indigent condition, and desirous to return home, got imperfect Intelligence that an *English* Lord (whose name as yet he knew not) and a *French Count* called *Gramount*, had a Yacht waited for them at *Diep*. And having also a Brother then in *Paris*, he sought by his means to gain admittance for a Passage in the said Yacht. This design of his he imparts to *Mort*, a Person in the same condition, and who had the same purpose with himself. Hereupon *Mort* and he go to *Diep* in hopes to find the Yacht there, but they fail'd of their expectation, and *Turbervil* missing the Yacht, would have perswaded *Mort* to go in the search of it to *Calais*; Whilst they were in this debate, they lighted on a Fisher-Boat, and so came over in it into *England*. Thus much may be conjectured from the Relation of *Mort*. But that *Turbervil* during his stay at *Diep*, received a Letter from my Lord, intimating his intention of coming for *England*, by the way of *Calais*, and that he should hasten to meet him at *London*, is a most palpable Forgery; For neither could *Turbervil*, when required, produce any such Letter, nor did my Lord come over by the way of *Calais* as *Turbervil* would have us believe that Letter Imported. And indeed who can imagine, my Lord should send word to his new Confederate at *Diep*, to hasten to meet him at *London*, when he himself remained at *Paris*, (as hath been proved) above a month after: and at length also came not to *Calais*, but to *Diep* and from thence home, so that here is nothing but contradictions in the whole course of *Turbervil's* Evidence.

Page 101. SEventhly, *Turbervil* in the last mentioned Information positively Swore: That the Lord *Castlemain* was present at certain Traiterous Consults at *Powis-Castle*, several times within the years (72,) or (73) Now my Lord proved, that the said Earl of *Castlemain* was never at *Powis-Castle* within the compass of that whole time.

This was demonstrated by the Attestation of Mr. *Lidcot* a *Protestant*, and Fellow of *Kings-Colledge* in *Cambridge*, who having Lived with the Earl Nine years, and particularly Accompanied him in all his Journeys and Residences, during those two above-named years; gave this distinct account out of his Book of Journals (*viz.*) 'My Lord
Page 116. 'set forth from *Liege* to *Paris January* 1*st*. (72.) *Stilo novo*, where he 'remained three Weeks; and from thence arrived at *London January* '24. *Stil vet*', there he staid till *May* (73.) from thence he went to '*Liege* again in *June*, and from *Liege* he set forth to *London* in *August*; 'and returned back to *Liege October* the 3. *Stilo novo* (73.) where he 'remained till *January* (74.) *&c*. Thus much to the charge of Perjury.

UPon this proof of Perjury the *Mannagers* made this Observation: *Mr.* Lydcot *the Fellow of* Kings-Colledge (as he call'd himself) *was indeed so out in his Arithmatick, so mistaken in the year; And used the* Roman *Stile* (or date)

date) *ſo much more then the* Engliſh. *That they ſuſpected he was not ſo great a* Proteſtant *as he pretended to be.*

To which the *Papiſts* anſwer: That a ſolid Witneſs ought not to be Railed out of his Evidence, in a matter of Life and Death; Mr. *Lydcot* (however skilled in Arithmatick, however great or little *Proteſtant*) ſubſtantially proved the Earl of *Caſtlemain*, never was at, or near *Powis-Caſtle*, from the firſt of *January* (72) till paſt *December* (73.) the inclusive time wherein *Turbervil* Sweare, *He was at a Conſult there.* And it is ſtrange, ſo weighty and convincing a proof of *Perjury*, in a matter of ſo high and ſerious a concern, ſhould be ſhifted off by a trifling Jeſt. Railyed

LAſtly, My Lord upon occaſion made ſome Remarks upon *Turbervil's* Beggery, Looſe manner of Life, and divers odd Circumſtances in the courſe of his Evidence, which much reflected upon his Reputation: To ſupport it therefore, the *Managers* produced theſe Witneſſes. Turbervil's *looſe manner of Life.*

Mr. *Arnold*, *Jones*, *Hobby* and *Scudamore*, Depoſed; That they knew *Turbervil*, but *for their parts never heard, or ſaw any evil by him.* Page 154.

Mr. *Matthews* a Miniſter Depoſed the ſame, as to *Turbervil's* Reputation; and added: That *Turbervil* a little before he made his Diſcovery, owned himſelf a *Roman-Catholick*; but ſeemed to have a mind to quit that Religion, being convinced by the Arguments *Matthews* gave him, of the Excellency of the Principles and Practices of the *Proteſtant Church*; yet would never acknowledge he knew one Syllable of the Plot.

UPon theſe ſeveral *Remarques*, the *Mannagers* made this Obſervation: *The good Character here given of* Turbervil, *by four Witneſſes, ſhew him a Man of much Vertue and Integrity; And it ought to be conſidered as a farther addition to his Praiſe, that he had the grace* (though indigent) *to refuſe the propoſal made to him by my Lord, of* Killing the King.

To which the Papiſts *anſwer*: It is no ſufficient proof of *Turbervil's* Vertue and Integrity, that four Perſons ſay, *They know no ill of him*; He may be guilty nevertheleſs of a Thouſand Crimes unknown to them; few or none are ſo intirely abandoned or deteſted by all Mankind, as not to find four Perſons in the World who will make a favourable report of them. But it is evident from what hath been already proved; That *Turbervil* was a man in all points compleatly equipped for a *Knight of the Poſt:* For firſt, he was indigent; Secondly, he was horridly addicted to *Curſing* and *Swearing*; Thirdly, he looked upon feigning Diſcoveries, as the only way to get Moneys. All this is manifeſted by his own Words and converſation with Mr. *Yalden* and Mr. *Porter* before-mentioned; *As I hope for Salvation* (ſaid he) *I know nothing of the Plot. The Devil take the Duke of* York, Monmouth, *and all. God damn me, there is now no Trade good but that of a Diſcoverer.* Who ſhall ever want Witneſſes, that can find men thus qualified? And whereas it is ſaid, he had the grace to refuſe the propoſal made to him, of *Killing the King.* It ought firſt to be proved, otherwiſe then by his own aſſertion; He had ſuch a *Propoſal* made, before the *refuſal* of it can be juſtly alledged as an argument of *grace* in him. Finally, It is very remarkable what Parſon *Matthews* the laſt of the Witneſſes here Depoſeth, (*viz.*) That though *Turbervil* had a mind to quit the *Roman Catholick Religion*, being (as he ſaid) convinced by the Arguments *Matthews* gave him, of the excellency of the *Principles* and *Practices* of the *Proteſtant Church*; yet he would never acknowledge to the ſaid *Matthews*, his new Ghoſtly Father, *That he knew one ſillable of the* Plot.

The sum of the whole Evidence, both for and against my Lord. ¶ 4.

IN this sort passed and ended the *Particular* Evidences, given as well by the *Mannagers against my Lord*, as by my *Lord in his own defence*. After this the Court required each Party to sum up their respective *Evidence*; And it being by course of Law, my Lord's turn to begin; He performed it to this purpose.

Page 163. &c. The sum of my Lord's Plea as to matters of Fact.

First, 'He pleaded his *Age*, his want of *Endowments*, his *Exhausted* 'Spirits and strength in this long *Tryal*; In consideration of which he 'hoped their Lordships (who were both his *Judges* and *Councel*,) would 'Pardon the many defects he must needs commit in Summing up his de-'fence: Then he Recapitulated the whole Evidence (already speci-'fied) as well as his weak memory, and discomposed condition would 'permit. He reminded their Lordships of the several points wherein 'he had proved the Witnesses *Forsworn*: He recounted their sayings, 'and unsayings to the same things. The various *Contradictions*, the 'moral *Impossibilities*, and *Absurdities*, as to divers (though before-'hand studied) parts of their *Evidence*; Inferring from hence, *That he* '*who will Forswear himself in one thing, is not to be credited in any.* He 'insisted upon the *Infamy* of the Witnesses, and Wickedness of their 'Lives, especially the more the *Atheistical Sacriledge* of some of them, 'acknowledged in open Court; He *Inculcated* their former Beggery, 'compared to the present *Encouragement*, *Carasses*, and *Allurements* of '*Gain*, and *Applause*, they find in their new *Employment*. He alledg-'ed their *Subornation* of others, to make good their *Forgeries*, their '*bare Oaths* without any corroborating *circumstances*, but what depen-'ded on the same *Oaths*; concluding, that such as will *Swear Lyes*, 'will never stick at Swearing of false Circumstances, to hancle those '*Lyes* together.

Page 167. &c.

And having thus summed up his *Defence*, as well as a weak Old Man, harrassed and spent with five days pleading. And (as he said) *deprived of Sleep*, could do on a suddain; 'He cast himself into their 'Lordships hands, desiring them to remember how *faithfully* he had 'served the *King* in the late Wars; How much himself, his Wife, and 'Family had suffered on that *account*; How easily he might have pre-'vented those Miseries, if he would, as others did, have turned a *Re-*'*bel*; And consequently, how unlikely it is, he should now in his Old 'Age, and settled contented State, be guilty of so horrid a Crime, pro-'ved only against him by the Incredible Stories of three Infamous 'Men.

My Lord's Plea as to matters of Law.

Then he proceeded to propose certain *Points* or *Doubts* in *Law*, which occurred in his case, concerning the manner of his Impeachment; the continuance of it from *Parliament to Parliament*; Whether the *Indictment* contained an *Overt Act*, necessary to a *Conviction of Trea-son*? Whether Men, who Swear for *Money*, ought to be *credited*, or admitted for *Witnesses*? Whether the *Plot*, being supposed a *Plot of the* Papists, was as yet legally proved so? Lastly, Whether there being but one particular Witness to any one particular point, such an Evidence be *sufficient in Law*.

When

WHen my Lord had ended his Queries, the Learned *Mannagers* those dexterous Masters of *Law and Eloquence* addreſſed themſelves, *to ſum up the Evidence*, and Illuſtrate the Proofs on their ſide. Page 199. &c. *The ſum of the Evidence againſt my Lord.*

That part which regards the eſpecial matters charged by the Witneſſes upon my *Lord* in particular, I have already incerted in the body of the *Tryal*, as the ſaid ſeveral matters reſpectively occurred; The other Arguments made uſe of to enforce a belief of my *Lord's Guilt*, and advance the credit of the Witneſſes, take here (together with the *Papiſts* Anſwers) in ſhort, as followeth.

The *Managers* therefore argued, 'They had made it plain and appa-'rent in the beginning of the *Tryal*, by the Teſtimonies of ſix poſitive 'Witneſſes; by the *Declaration* of both Houſes of *Parliament*; by 'Coleman's Letters; *by the Tryal and Conviction of other Traytors*; that 'there was a general Deſign amongſt the Papiſts, to introduce their Re-'ligion, By raiſing of *Armies, murdering the King, and ſubverting the Go-'vernment.*

THe *Papiſts* anſwer: It is clear and manifeſt from the Reaſons given, and Arguments anſwered, in the Preamble to this *Tryal*; That there never was any ſuch general *Deſign*, any ſuch *Armies* raiſed, *&c.* amongſt the *Papiſts*. Theſe being the meer groundleſs Suggeſtions of *Infamous Men*, whom *Lucre and Malice* inſtigated to *Perjury againſt Innocent Catholicks.*

THe *Managers* farther argued, 'It was neceſſary this *great Deſign* of 'the Papiſts ſhould be managed by the greateſt Perſons amongſt 'them: Now my *L. Stafford* was a man whoſe *Quality and Merit* might 'well entitle him to an Office as great as *Pay-maſter General* to the Army; 'From whence they inferred, That the particular Evidence given herein 'againſt my *Lord*, was highly credible.

THe *Papiſts* anſwer: It is a wreſted Inference, and that alſo bottomed upon a falſe *ſuppoſition*; *For firſt*, There never was (as is ſaid before) any ſuch *Deſign*, nor by conſequence any *Armies or Officers*, other then what were the Chymerical product of *Perjured Men*. *Secondly*, Though there had been ſuch a *Deſign* in general, as is here pretended; it is a ſtrangely far fetched conjecture (ſurely not allowable in a caſe of Life and Death) that my Lord *Stafford* becauſe a Nobleman, muſt needs have a great, or indeed any *part* in it. Great *Offices* (eſpecially amongſt Traitors) are not uſually committed to the beſt *Born*, but to the beſt *Qualified* for ſuch employments. Now all the World that knew my Lord, his Humour, his Condition, his Economy in Money matters, will avouch, (ſo incongruous are the Witneſſes in their *Lyes*,) there was not peradventure amongſt all the Perſons of Quality, *Catholicks* in *England*, one leſs proper then he for *Pay-maſter General to an Army*. In fine, If there were a *Plot* in general, 'tis no neceſſary conſequence my Lord was Guilty. But if there were none (as moſt certainly there was not) 'tis abſolute demonſtration my Lord was *Innocent*.

THe *Managers* argued, 'They had amply proved by their Wit-'neſſes, That the *Prieſts and Jeſuits*, in their *Sermons* and Diſcour-'ſes, had juſtified the lawfulneſs, and incited their Votaries, to the pra-'ctice of *Treaſon, Rebellion, and Murder of Heretick Princes*; Conforma-'bly hereunto, whenever my *Lord* undertook any Treaſonable *Deſigns*, 'it was ſtill when the *Prieſts and Jeſuits* were at his Elbow; ſtill when 'they were egging him on; ſtill when they were giving him *Ghoſtly* 'Counſel; when my *Lord* was amongſt them, or but newly come from 'them, Page 170.

'them, then it was he uttered the Treaſon of *Killing the King.* Theſe 'notable Circumſtances muſt needs (ſay they) render credible the 'Teſtimony of the Witneſſes againſt my *Lord.*

THe Papiſts *anſwer*, Here are Trayterous *Sermons* and Diſcourſes alledged; How are they proved? *Why, by the Oaths of the Witneſſes that heard them.* But the Credit of theſe Witneſſes are queſtioned; How is that made out? *Why, by the Trayterous* Sermons *and Diſcourſes which they heard.* Thus ſtill the Queſtion is begged, and nothing proved but by *bare ſwearing, peremptory ſwearing*, of infamous men, without any face of one ſingle *Circumſtance* to ſupport their Evidence, other than what dependeth on the ſame *ſwearing*: As if thoſe that ſtick not to ſwear a *falſe Oath*, ſhould ſtick at *Circumſtances* to ſecond their *Perjury.* Had the *Managers* flouriſhed upon the *Honeſty* of the Witneſſes; the *Uprightneſs* of their Lives; the *Integrity* of their Manners; their diſ-engagement from *Self-intereſt*; the Circumſtances inducing a *probability*, diſtinct from the bare Oaths, (things neceſſary to a legal Conviction) the *Tryal* would have had another appearence. It is therefore again urged, That there are ſuch Wretches as *Knights of the Poſt.* That men may, and often do, break *God's* great Commandment, *Thou ſhalt not bear falſe Witneſs againſt thy Neighbour.* That wicked Perſons, of *loſt Conſciences* and *deſperate Fortunes*, are moſt propenſe to commit this Crime. That this Propenſion is much augmented by an aſſured proſpect of *Indempnities* from Puniſhment, and advantage of *Gain.* And conſequently, the bare, and otherwiſe improbable, Oaths of ſuch men, ſo circumſtanced, cannot (eſpecially in matters of Life and Death) be credited againſt honeſt and vertuous *Perſons*; nay againſt whole *Nations*, without a dreadful hazard of Injuſtice. But there will be a further occaſion to ſpeak of theſe alledged Trayterous *Sermons* and Diſcourſes, when we come to treat of *my Lord's Principles.*

Page 171, &c. THe *Managers* ſtill argued, 'The three Witneſſes were all expreſs 'and *poſitive* in their Evidence againſt my *Lord.*

THe Papiſts *ſtill anſwer*, It is not *poſitive* ſwearing of *evil*, but *probable* ſwearing of *good* men, ſhould convict my *Lord*, or any other, of guilt, eſpecially in matters of *High-Treaſon.*

Page 184. THe *Managers* likewiſe argued, 'It was impoſſible there could be a '*Contrivance* amongſt the Witneſſes themſelves to depoſe the 'ſame Crimes againſt my *Lord*, ſeeing there was no intercourſe between '*Oates* and *Dugdale*; nor did they know each other till long after *Oates's* accuſation of my *Lord*; And it is as little credible, they could concurr in the ſame thing, unleſs the Evidence of both were true.

THe Papiſts *anſwer*, Though there were no *Contrivance* ariſing from any acquaintance or intercourſe had between *Oates* and *Dugdale*, before their ſeveral Diſcoveries, yet the *latter* might well take example and encouragement, from the practice of the *former*; and ſo indeed it was; for *Dugdale* being involved in *Debts*, and thrown into *Gaol*, caſt about how to retrieve his deſperate Fortune; and hearing that *Oates* and *Bedlow* (men before ſunk to the bottom of reproach and beggery) had by *Perjury* and *Impudence* freed themſelves from the Puniſhment of the *Laws*, gained immenſe rewards, and now lived in a degree above the port and expence of ordinary Gentlemen; he at laſt (yet not without frequent anguiſh, and reluctance of Conſcience) ſwallowed the alluring bait; and knowing my *Lord Stafford* (whom he had ſeen at *Tixal*) was already in the *Tower*, and accuſed by *Oates* of the *Plot*, he deviſed a like fabulous ſtory of the *Plot* alſo, making my *Lord*, and other Gentlemen, where he lived and ſerved in *Staffordſhire*, the chief Actors in it. By which means *Dugdale* became Partner with *Oates* and *Bedlow*, both in the *Title* and *Profit* of the *King's Evidence.*

The

THe *Managers* argued, 'Oates and Dugdale were so ready in their Page 151.
'Answers, when any Question was asked them, and confirmed
'still their precedent discourses by their subsequent replies; Nay, the
'whole frame and series of the *Plot*, though consisting of many particu-
'lars, and attested by persons of no great natural capacities, is yet so co-
'herent in every part of it, that it is impossible the same should be false.

THe Papists *answer*, *Oates* and *Dugdale* were often so confounded, when any Question was asked them out of the road; and their precedent discourses were usually so inconsistent with their subsequent replies; Nay the whole story (though studied before-hand, and the Authors all manner of ways encouraged and assisted in their invention) is yet stuffed and involved with so many *absurdities*, *contradictions*, and impracticable *chymera's*, (as has been already often and fully proved) that it is impossible the same should be true; for *Falshood* may, but *Truth* cannot be inconsistent of parts.

LAstly, the *Managers* having amply dilated and descanted upon each particular Evidence and Argument, alledged, as well *against* my *Lord*, as in his *defence*; and making even critical remarks upon whatever might be drawn either to the *advantage* of the one, or *prejudice* of the other, (the substance of all which hath been already specified in its proper place.) At length they concluded, with sharp and moving aggravations against the *Popish Principles*, (whereof also we shall by and by, according to promise, give a distinct account;) And insisting a while on this subject, with much accuteness of Wit, and seeming applause, they closed up their *Evidence*.

THus, when there was a period put to proof in matters of *Fact*, there began a debate as to matter of *Law*, concerning a doubt proposed by my *Lord*, (the other of his Queries not being admitted disputable) (*viz.*) *Whether two Witnesses be necessary to every Overt-act, in point of Treason?* This Question being referred to the *Judges*, they determined it to the *Negative*. *Answer to my Lord's Plea in matters of Law.* Page 196.

After this, my *Lord* petitioned the Court (as a peculiar favour) That he might offer some things to their *Lordships* Consideration, the purport of which was, 'That he had proved direct *Perjury* upon all
'the three Witnesses against him: That, as well at the instance of his Page 198.
'Wife, Daughter and Friends, as out of *sincerity of Conscience*, he would,
'in the presence of *Almighty God*, declare to them, *All that he knew*:
'That he verily believed there had been in former times *Plots* and De-
'signs against the Crown and *Government*, (as the *Gun-powder-Treason*, *&c.*
'owned by the Traytors themselves at their death) wherein some *Ro-*
'*man Catholicks*, as well as others, might be concerned; which *Plots*
'he from his heart (as both his Duty and Religion taught him) *detested*
'*and abhorred*: That it was ever indeed his opinion, That an *Act of*
'*Comprehension* for *Dissenting Protestants*, and a Tolleration for *Roman*
'*Catholicks* (yet so as not to admit them into any *Offices* of Profit or
'*Dignity*) would much conduce to the happiness of the Nation; But
'this not otherwise to be procured or desired, then by a free consent of
'the *King*, *Lords*, *and Commons*, *in Parliament assembled*: That he ne-
'ver read or knew of *Coleman's* Letters, or Consultations for Tolleration,
'till he saw the Letters themselves in the Printed *Tryal*: How far *Cole-*
'*man* was Criminal he did not know, but he believed he did that which
'was not justifiable by *Law*: That, as to the damnable Doctrine of *My Lord's particular Address.*

'*King-killing*, If he were of any *Church* whatſoever, and found that 'to be its *Principle*, he would leave it. That he knew the diſadvan-'tage he was under, in being forced, alone, to ſtand a conteſt with the 'Learned Gentlemen the *Mannagers*, who have thoſe great helps of 'Memory, Parts, and Underſtanding in the Law, all which he wan-'ted. That therefore he hoped their *Lordſhips* would not conclude 'barely upon the manner, either of his; or their expreſſions. But ſe-'rioufly debating the merits of the Cauſe in it ſelf, would pleaſe to 'be his *Councel*, as well as his *Judges*. That ſeeing he was to be Acquit-'ted, or Condemned by their Lordſhips Judgement; He knew they 'would *lay their hands upon their Heart, Conſult their Conſciences, and* 'their Honours; And then he doubted not, they would do what was 'juſt and equitable; That (with ſubmiſſion to their Lordſhips) he thought 'it hard meaſure, and contrary to *Law*, that any one ſhould be Im-'priſoned above two years, without being admitted to *Tryal*; And 'that it was of evil conſequence for any one to have Juſtice denyed 'him, ſo long till his Opponents had found occaſion to gain their 'ends; That however thoſe *large Allowances, and Rewards granted to* 'the *Witneſſes*, *for Swearing*, might peradventure be an effect of His 'Majeſties *Grace and Bounty*; yet it was not eaſily conceivable, how 'the hopes and promiſes of ſo great Sums ſhould not prove to diſſolute, 'indigent Perſons, ſtrong *Allurements* and temptations to *Perjury*. Fi-'nally, That the defence he had made, he owed it to the worth and 'dignity of his Family; He owed it to his dear *Wife and Children*; (at 'which words he was obſerved to weep,) He owed it to his *Innocenſe*; 'He owed it to *God*, the Author of Life. That he confided, their 'Lordſhips would duly reflect, what a dreadful thing *Murder* is, and 'the *Bloud of Innocents*: And that he verily believed none of the *Houſe* 'of *Commons*, deſired his Death for a Crime of which he was not Guil-'ty. That he hoped their Lordſhips would not permit him to be run 'down by the *ſhouts of the Rable*, (*the Emblem of our paſt Calamity.*) *It be-*'gan in the late times with the *Lord* Stafford, *and ſo continued, till it* 'ended in the *Death of the King, the moſt execrable Murder, that ever* 'was committed; *And where this will end* (ſaid he,) *God knows.* To 'conclude, He again declared in the preſence of God, of his Angels, 'of their Lordſhips, and all who heard him, That he was intirely 'Innocent of what was laid to his charge; That he left it to their 'Lordſhips to do *Juſtice*, and with all ſubmiſſion reſigned himſelf to 'them.

To this diſcourſe of my *Lords*, the *Mannagers* returned for anſwer: That his Lordſhips laſt Addreſs was not regular, nor according to the due *method* of proceedings; for if after his Lordſhip had *ſummed* up his Evidence, and the *Proſecutors* had concluded theirs, he ſhould begin that work again, and they by conſequence be admitted to reply, he might ſtill *rejoyn* upon them, and ſo there would be no end of proceedings. They therefore deſired this Indulgence granted to my *Lord*, might not ſerve for a future Preſident.

The Concluſion of the Tryal. ¶ 5.

HEre then the *Lord High Steward* wholly terminating all further proceſs on either ſide; The *Court* gave final Judgment; And the

Lord

Lord High Steward collecting the Votes, my Lord *Stafford* was Pronounced *Guilty*, by fifty five Votes against thirty one.

When the Votes were paſſed, the *Lord High Steward*, declared to the Priſoner, *He was found Guilty of High Treaſon, whereof he was Impeached.* To which my Lord *Stafford* anſwered, *Gods holy name be praiſed my Lord for it.* Then the *Lord High Steward* asked him, *What he could ſay for himſelf, why Judgment of Death ſhould not be given upon him according to Law?* He reply'd, *My Lord, I have very little to ſay; I confeſs I am ſurprized at it, for I did not expect it. But Gods will be done, and your Lordſhips; I will not murmur at it. God forgive thoſe who have* Falſly Sworn *againſt me.*

'We are now come to the final *Sentence* of Death, For a Prologue to 'which the *Lord High Steward* made a ſhort Pathetick Speech; where- 'in after ſome reflections upon the *Plot in general*, he deſcended to 'my Lords caſe in *particular*; And then adviſed his Lordſhip (as now 'a ſuppoſed guilty Perſon,) to bething himſelf of the State and Con- 'dition he was in: of his *Religion* and *Guides*, that ('tis ſaid) had ſe- 'duced him: Of the repentance due to ſo hainous Crimes: And con- 'cluded with an aſſurance to his Lordſhip, That a true Penitential 'Sorrow joyned with an humble and hearty *Confeſſion*, was of mighty 'power and efficacy, both with *God and Man.* He then pronounced 'Sentence upon him, in theſe words.

Page 212. *My Lord High Steward's Speech.*

His Religion imputed to him as the Cauſe of his Guilt.

The Judgment of the Law is, and the Court doth award it, 'That 'you go to the place from whence you came, from thence you muſt 'be drawn upon an Hurdle to the place of Execution; when you come 'there, you muſt be Hanged up by the Neck, but not till you are 'Dead, for you muſt be cut down Alive; your Privy Members muſt 'be cut off; And your Bowels Ript up before your Face, and thrown 'into the Fire: Then your Head muſt be ſevered from your Body, and 'your Body divided into four Quarters. And theſe muſt be at the 'diſpoſal of the King.

Page 214. *The Sentence.*

And God Almighty have mercy on your Soul.

My Lord received this diſmal Sentence, with a meek and reſigned Countenance: He declared in the preſence of *Almighty God*, he had no malice in his Heart to them that had Condemned him: But freely forgave them all.

He made one, and only one humble requeſt to their Lordſhips, (*viz.*) That for the ſhort time he had to Live a Priſoner, his Wife, Children, and Friends might be permitted to come at him. My *Lord High Steward* told him, their Lordſhips had ſo far a Compaſſion for him, They would be humble ſuiters to the *King*. That he will remit all the puniſhments, but the *taking off his Head.*

Thus Sentence being paſſed the *Lord High Steward* broke his Staff, and my *Lord Stafford* was led back from the *Bar* to the *Tower*. The Ax being carryed before him, (as the Cuſtom is in ſuch caſes) with the Edge toward him.

SECT. III.

My Lords PRINCIPLES *of* FAITH *and* LOYALTY.

DOubtleſs the thing which moſt weighed to my *Lord's* prejudice; moſt advanced the credit of the Evidence; And moſt influenced both his *Proſecutors*, and *Judges* againſt him, was a pre-poſſeſſed Opinion of *wicked Principles*, ſuppoſed to be held and practiſed by my *Lord*, as the matter of his *Faith and Religion*. It is by many taken for granted, The *Papiſts* hold it an *Article* of Faith, *That to Depoſe and Murder Kings, to Maſſacre their Neighbours, and deſtroy their Native Countrey by Fire and Sword, (when the intereſt of their Religon requires it) are acts diſpenſable by the* Pope, *and meritorious of Heaven.* Now what thing ſo wicked however, ſlenderly proved, will not eaſily be believed againſt *Men ſo Principled.* My *Lord* therefore to clear himſelf, and his Religion from this heavy, and (as the *Papiſts* ſay) injurious Aſperſion, 'Proteſted and Declared in the preſence of *Al-*
Page 54. '*mighty God*, and their Lordſhips his *Judges*; That he hated and de-
'teſted ſuch *Principles*, as he did Damnation to himſelf; And that he
'could not be more deſirous of Salvation, then he was cordial in ha-
Page 53. 'ting ſuch *Principles.* That he ever held *Treaſon* to be the worſt of
'Crimes, and knew no term ill enough to expreſs it. That he heard
'with horrour the late wicked *practices* in *Scotland.* That he acknow-
'ledged the *King* his lawful *Soveraign*, and knew no *Perſon* or *Autho-*
'*rity* on Earth, could *abſolve* him from his *Allegiance.*

And leaſt this might ſeem a meerly extorted profeſſion of a deſpairing Man; My *Lord* endeavoured to prove by ſeveral convincing *Teſtimonies*, he had ever been Inſtructed and Educated in the ſame Sentiments, as the Eſtabliſhed Doctrine of the *Roman Catholick Church.*

Ibid. His firſt Teſtimony was taken from places of Holy Scripture, particularly That of St. *Math.* 22. *v.* 21. '*Render to* Cæſar *the things that*
'*are* Cæſars, *&c.* From the plain and clear ſenſe of which, and other
'*Texts of Holy Writ*, nothing (he ſaid) in this world was able to re-
'move him.

Ibid His ſecond *Teſtimony* was taken from the Authority of the *General Council of Conſtance*, (to which all *Roman Catholicks* are obliged to ſubmit;) The 15th Canon and Definition of which *Council* is this: '*Qui-*
'*libit* Tyrannus *poteſt & debet licitè & meritoriè* occidi *per quemcunq;*
'*Vaſallum ſuum vel Subditum, etiam per clanculares inſidias, & ſubtiles*
'*blanditias vel adulationes non obſtante quocunq;* Prætito juramento *ſeu*
'*confœderatione factis cum eo, non expectatâ ſententiâ vel mandato judicis*
'*cujuſcunq; Adverſus hunc errorem Satagens hæc* Sancta Synodus, *exur-*
'*gere, & ipſum funditùs tollere, declarat & definit, hujuſmodi Doctri-*
'*nam erroneam eſſe in fide, & in moribus, ipſamque tanquam* Hæreticam,
'*Scandaloſam, & ad Fraudes, Deceptiones, Mendacia, Proditiones,*
'*Perjuria, vias dantem, reprobat, & condemnat. Declarat inſuper &*
'*decernit quod pertinaciter Doctrinam hanc perniciociſſimam aſſerentes*
'*ſunt* Hæretici, *& tanquam tales juxta Canonicas Sanctiones puniendi.*
Engliſhed thus, 'Every *Tyrant* lawfully and meritoriouſly, may, and
ought

'ought to be *Killed* by any *Vassal* or *Subject* whatsoever, even by hid-
'den Treacheries and subtile Flatteries or Adulations, notwithstanding
'any *Oath* given, or confederation made with him, Without expect-
'ing the Sentence or Command of any Judge whatsoever, (*which*
'*clause is added in regard of the right of Supreme Temporal Monarchs,*
'*over Inferior Princes Subordinate to them.*) Against which Error this
Holy Synod (industrious to withstand, and utterly to extirpate it,) doth
declare and *define*, that this *Doctrine* is Erroneous in *Faith* and *Manners*,
and the same as *Heretical*, *Scandalous*, and opening a way to *Frauds*,
Deceipts, *Lyes*, *Treasons and Perjuries* doth disaprove and condemn;
It farther declares and decrees, that those who obstinately maintain this
most *pernicious Doctrine*, are *Hereticks*, and as such ought to be pun-
nished according to Canonical *Sanctions*.

My Lords third *Testimony* was taken from the *Annotations* upon the Ibid.
13th Chapter of St. *Paul's Epistle to the Romans*, in the *English Catho-*
lick Edition of the new *Testament*, set forth by the *College of Divines*
at *Rhemes*. The words are these (upon the Text, *He that resisteth*, &c.
v. 2.) 'Whosoever resisteth, or obeyeth not his lawful *Superior*, in
'those causes wherein he is *subject* to him, resisteth Gods appointment,
'and sinneth deadly, and is worthy to be punished both in this World
'by his *Superior*, and by *God* in the next Life. For in *Temporal Go-*
vernment and *Causes*, the *Christians* were bound in *Conscience* to obey,
even their *Heathen Emperours*. And (upon the Text, *Beareth not the*
Sword, &c. *v.* 4.) 'There were certain *Heretick*s called *Begardi*, that
'took away all *Rule and Superiority*; The *Wickleffists* also would obey
'no *Prince* nor *Prelate*, if he were once in deadly sin: Some *Prote-*
stants of our time, care neither for the one, nor for the other; though
'they extol only *Secular Power*, when it maketh for them. The *Catholicks*
'only most humbly obey both, according to *Gods Ordinance*; the one
'in *Temporal Causes*, and the other in *Spiritual*; in which order both
'these States have blessedly flourished in all *Christian* Countreys ever
'since *Christs* time.

My Lords fourth *Testimony*, was taken from the censure of the *Doc-* Ibid.
tors of the famous *Faculty of Sorbon*, *in the University of Paris*, against
a Book of *Anthony Santarelus*, treating of *Heresie*, *Schisme*, &c. Par-
ticularly against some 90 and 91 Chapters of the said Book. The
censure of the *Faculty* my Lord produced in *Court*, and is as followeth.
'Upon the first of *April* in the year of our Lord 1626. after *Mass* of
'the *Holy Ghost*; the usual Assembly of *Doctors* being met in Solemn
'manner, in the *Hall* of the *Sorbon Colledge*, was heard the relation of
'the Masters of the same *Faculty* deputed for that end, who declared,
'that in those two above-mentioned Chapters, these propositions were
'contained, *That the* Pope *can punish Kings and Princes, with Tem-*
poral Penalties, and Depose and Deprive them, of their Kingdoms for
the crime of Heresie, *and free their Subjects from their obedience*; *And*
that it had been always the custom in the Church; *And for other causes*
also, as for faults, if it be expedient; *If the Princes be negligent*; *For*
the insufficiency, and unprofitableness of their Persons; *Likewise that the*
Pope has right and power over Spirituals, and all Temporals also, and
that both the powers, Spiritual and Temporal are in him by Divine right;
That it was to be believed, that Power was granted to the Church and
its Chief Pastors, to punish with Temporal Penalties, (Princes) *the trans-*

'greſſors of *Divine and Humane Laws, eſpecially if the Crime be* Hereſie. They ſaid likewiſe, that the ſame *Santarelus* did affirm, *That the Apoſtles were ſubject to ſecular* Princes, de facto, non de jure; *by Fact, not by Right*; Moreover, *That as ſoon as the* Pope *is inſtalled, all Princes begin to be ſubject unto him.* Laſtly, they related that he, (*Santarelus*) expounded the words of *Chriſt, Whatſoever ye ſhall bind upon Earth*, &c. To be underſtood not only of the *Spiritual*, but of the *Temporal Power*: That he impoſes upon St. *Paul*, changing his words, by withdrawing the Negation; and upon many, Authors cited by him. They related many other things out of the ſaid *Santarelus*, which ſeemed to them very well to deſerve the grave *Animadverſions and Cenſure of the Faculty*. The matter therefore being brought into debate by the *Dean*, the mature deliberations of all and every Maſter being heard, the *Faculty* hath diſſapproved and condemned the *Doctrine* contained in theſe propoſitions, and other like expreſſions in the ſame Chapters, as new; Falſe, Erroneous, contrary to the word of *God*: drawing hatred upon the *Pontificial Dignity*; giving occaſion to *Schiſm*; Derogatory from the *Supreme authority of Kings dependant on God alone*, hindring the converſion of *Heathen* and *Heretical Princes*; diſturbing the publick Peace; Deſtructive to Kingdoms, States, and Common-Wealths; withdrawing *Subjects* from *Obedience* and *Subjection*; and exciting to *Factions, Rebellions, Seditions*, and *Murder* of *Princes*. Given in the *Sorbon* the 4th. of *April* 1626.

Taken out of the Archives *of the foreſaid* Faculty, *by me Secretary thereof, the* 26th. *of* September 1679.

MASSIN.

Ibid. MY Lords fifth *Teſtimony*, was taken from a little Treatiſe, writ (as my Lord ſaid) by a *Prieſt* of the *Church of Rome*, and entituled, *Roman-Catholick Principles, in Reference to God and the King*. The chief Contents of which Treatiſe; Becauſe it in ſhort explains the above-named *Principles*, and clears the *Objections* uſually made on this Subject. I ſhall here inſert in the Authors own Words, for the Readers more ample ſatisfaction.

I Sit not ſtrange and ſevere, (*ſaith this Author*) That *Principles*, (of Treaſon, Rebellion, Murder, *&c.*) and thoſe pretended of *Faith* too, ſhould be *impoſed* upon *Men*, which they themſelves *renounce* and *deteſt*? If the *Turk*'s *Alcoran* ſhould in like manner be urg'd upon us, and we hang'd up for *Mahumetans*, all we could do or ſay, in ſuch a Caſe, would be *patiently to die*, with *Proteſtation* of our own *Innocence*. And this is the poſture of our *preſent Condition*; We *abhor*, we *renounce*, we *abominate* ſuch *Principles*; We proteſt againſt them, and ſeal our Proteſtations with our *Dying Breaths*. What ſhall we ſay? What can we do more? To *accuſe men* as guilty in *matters of Faith*, which they never own'd, is the ſame thing, as to condemn them for *matters of Fact*, which they never did.

You preſs the *Queſtion*, and ſay, ſome of our *General Councils*, ſeveral *Papal Decrees*, and many of our *Doctors* and *Divines*, aſſert the fore-mentioned *Principles*. Sir, I have been inſtructed in the *Articles of my Faith*, and I acknowledge the *lawful Authority* of *General Councils*: yet I profeſs I never learnt, or found aſſerted in any of them, any ſuch *Principles*. And I propoſe unto you this plain and ſhort *Dilemma*; Either the above-named Principles are eſteem'd by us as *matters of Faith*,

Faith, or not: If *they be*, what further can be required of us, than to *deny* and *forsake* such a *Faith*? And this we constantly do. But if *they be not matters of Catholick Faith*, nor owned by us as such, why are *Catholicks*, as *Catholicks*, punished for them? why is our *Religion* persecuted on that account? Let those, in God's Name, if any there be, of what *Religion* soever, who *hold such Tenents*, *suffer for them*: why should the *Innocent* be involv'd with the *Guilty*? there is neither *Reason* nor *Justice* in it.

An Objection. Hereunto some Persons (I hope out of zeal and mis-information, rather than malice) stick not to say, That *Dispensations*, and I know not what *Indulgences* and *Pardons*, whereby to legitimate the Crimes of *Lying* and *Forswearing*, when the Interest of our Church requires it, is a *main part* of our *Religion*: and by consequence, the *denial* of our *Principles*, is *no sufficient justification of our Innocence*. I answer, *First*, It is in the highest measure censorious in any one, to *impose* upon all our *Ancestors*, and the greatest part of mankind, who are, or have been so long together Members of our *Religion*, such an excess of *Folly* and *Wickedness*, as must needs have perverted all *Humane Society*. *Secondly*, If we could lawfully *deny the Principles of our Faith* when Interest requires, why have we lost our *Estates*, our *Liberties*, our *Lives* for the profession of it? To what purpose are *Oaths* and *Tests* devised to intangle us? How impertinently is the frequenting the *Protestant Church*, and *Receiving the Communion*, proposed unto us, and *refused by us*? *Thirdly*, Though many men may be induced to *Lie*, and *Forswear*, when they have some hopes or prospect thereby of *Temporal Advantage*; yet, that persons *dying for their Conscience and Religion*, (as divers have done, and those *no Fools*, even by the Confession of our Adversaries) should be so stupendiously *foolish and mad*, either to imagine, that *Lies and Perjuries*, for *concealment of Treason*, *Murder*, *Massacre*, and *Destruction* of others by *Fire and Sword*, should be *acts of Virtue*, *pleasing to God*, *dispensable by the Pope*, and *Meritorious of Heaven*; or that, on the contrary, *knowing* and *believing* (as needs they must) such *Monsters* and *Horrours* to be *odious* and *detestable* in the sight both of *God* and *Man*, they should nevertheless, upon the very brink of *Eternity*, *wittingly and willingly*, cast themselves *headlong* into an *assured Damnation*; and this at a time when they might have saved both *Bodies* and *Souls*, by meerly discharging a *good Conscience*, in acknowledging the *Truth*, and becoming *honest men*. This, I say, is *Inhumane*, and contradictory to all *Sense* and *Reason* to believe.

The intent of this Epistle. Now therefore, I come to what you so often, and so earnestly press me to, *viz.* to satisfie the world, and clear *my self*, my *Fellow Sufferers*, and my *Religion*, from the imputation laid upon us, on pretence of such *Principles*, by a true and candid *Explanation* of my *Belief* and *Judgment* in the main points of *Faith* and *Loyalty*, controverted between *Catholicks* and *Protestants*, as they severally relate to *GOD* and the *KING*.

PARAGRAPH I.

Of the Catholick Faith, and Church in General.

Redemption in Christ, applicable by Faith. 1. THe Fruition of God, and Remission of Sin, is not attainable by man, otherwise then (*a*) *in, and by the Merits of Jesus Christ*, who (*gratis*) purchased it for us. a Eph. 2. 8. 1 Cor. 15. 22.

2. These Merits of Christ are not applied to us, otherwise than by a *Right* (*b*) *Faith* in Christ. b Mark 16. 16. Heb. 11. 6.

Which is but One, 3. This *Faith is but* (*c*) *One*, entire and conformable to its Object, being *Divine Revelation*; to all which (*d*) *Faith* gives an undoubted assent. c Eph. 4. 4. &c. d Jam. 2. 10.

Supernatural, 4. These *Revelations* contain many *Mysteries* (*e*) *transcending the natural reach of Humane Wit and Industry*: Wherefore, e 1 Cor. 1. 20. Mat. 16. 17.

By the Divine Providence to be learnt. 5. It became the Divine *Wisdom* and *Goodness*, to provide Man of some (*f*) *way or means* whereby he might arrive to the *knowledge* of these *Mysteries*; Means (*g*) *visible* and *apparent* to all; Means (*h*) *proportionable* to the Capacities of all; Means (*i*) *sure* and certain to all. f Isai. 35. 8. g Joh. 9. 41. h Mat. 11. 25. i John 15. 22.

6. This

k 2 Pet. 3. 16. Pro. 14. 12. Mat. 22. 29.
l 1 Jo. 4. 1, & 6. Prov. 12. 15.
m Mat. 18. 17. Luke 10. 16.
n Pſal. 2. 8 Iſa. 2. 2 &c. 49. 6. Matth. 5. 14.
o Iſai. 59. 21. Joh. 16. 13. Ezek. 37. 26. Eph. 5. 25. &c. 1 Tim. 3. 15. Mat. 16. 18.
p Mat. 28. 20. Joh. 14. 16.
q Deut 17. 8. &c. Mat. 23. 2.
r Can. 6. 8. Joh. 10. 16. Rom. 15. 5. Joh. 17. 22. Philip 2. 2.
s Mat. 16. 18. 1 Tim. 3. 15. Mat. 18. 17.
t Iſai. 59. 21. Joh. 14. 26.
u 1 Cor. 11. 19. Mat. 18. 17.
x Tit. 3. 10. 1 Cor. 1. 10. cap. 12. 25.
y Joh. 5. 39.
z Acts 15. per tot.
a 2 Theſ. 2. 15. cap. 3. 6. 2, Tim. 2. 2.
b Jam. 2. 18.

6. This *way* or *means* is not the *reading of Scripture*, interpreted according to the *private* (*k*) *Reaſon* or (*l*) *Spirit* of every disjunctive Perſon, or Nation in particular; But,

7. It is an *Attendance* and (*m*) *Submiſſion* to the *Doctrine* of the *Catholick or Univerſal Church*, eſtabliſhed by Chriſt for the Inſtruction of all; (*n*) *Spread* for that end throughout all *Nations*, and *viſibly continued* in a Succeſſion of Paſtors, and People throughout all *Ages*: From which Church (*o*) *Guided in Truth*; *and ſecured from Error in Matters of Faith*, by the (*p*) *promiſed Aſſiſtance of the Holy Ghoſt*, every one may, and ought to (*q*) *Learn* both the Right Senſe of *Scripture*, and all other *Chriſtian Myſteries* and *Duties*, reſpectively neceſſary to Salvation.

Not from private Interpretation of Scripture. but from the Univerſal Church, dilated, continued and guided by the *Holy Ghoſt* for that end.

8. This Church, thus Spread, thus Guided, thus viſibly Continued, (*r*) in *One Uniform Faith*, and *Subordination of Government*, is that Self-ſame which is termed the *Roman Catholick Church*. The *Qualifications* above-mentioned, (*viz.*) *Unity*, *Indefectibility*, *Viſibility*, *Succeſſion*, and *Univerſality*, (*s*) being applicable to no other *Church*, or *Aſſembly* whatſoever.

This *Church* is the ſame with the *Roman Catholick*,

9. From the *Teſtimony* and *Authority* of This *Church*, it is, that We Receive, and Believe the *Scriptures* to be *God's Word*: And as She can (*t*) *infallibly* tell Us, This or That Book is *God's Word*; ſo can She with the like *Aſſurance*, tell us alſo the True *Senſe* and *Meaning* of it, in Controverted Points of *Faith*. The ſame *Spirit* that Writ the *Scriptures*, (*t*) *Enlightning Her* to Underſtand, both *It*, and all Matters Neceſſary to *Salvation*. From Theſe Grounds it Follows,

From the Teſtimony of which, we believe the Scripture to be *Gods Word*.

10. All, and only *Divine Revelations* deliver'd by God unto the *Church*, and propoſed by Her to be Believ'd *as ſuch*, are, and ought to be eſteem'd *Articles of Faith*; and the contrary *Opinions*, Hereſie. And,

Divine *Revelations* only Matters of *Faith*.

11. As an *Obſtinate Separation* from the *Unity* of the Church, is known declared *Matters of Faith*, in *formal* (*u*) *Hereſie*: So a willful *Separation* from the *Viſible Unity* of the ſame *Church*, in Matters of *Subordination* and *Government*, is *formal* (*x*) *Schiſm*.

What *Hereſie*, & what *Schiſm*!

12. The Church propoſeth unto Us Matters of *Faith*: *Firſt*, and chiefly, By the (*y*) *Holy Scriptures*, in Points plain and Intelligible in it. *Secondly*, By (*z*) *Definitions of General Councils*, in Points not ſufficiently Explained in *Scripture*. *Thirdly*, By (*a*) *Apoſtolical Traditions*, deriv'd from *Chriſt* and his *Apoſtles*, to all Succeeding Ages. *Fourthly*, By her (*b*) *Practice*, *Worſhip*, and *Ceremonies*, Confirming her *Doctrine*.

How Matters of *Faith* are propoſed by the *Church*.

PARAGRAPH II.

Of Spiritual and Temporal Authority.

Gal. 1. 7, 8. c Deut. 17. 8. Mat. 18. 17. Acts 15. per tot. Luke 10 16. Heb. 13. 7. 17.

1. *General Councils* (which are the Church of God, Repreſentative) have no Commiſſion from Chriſt to Frame *New Matters* of *Faith*, (theſe being ſole *Divine Revelations*) but only to (*c*) *explain* and *aſcertain* unto us, what antiently was, and is received and retained, as of *Faith* in the *Church*, upon ariſing *Debates* and *Controverſies* about them. The *Definitions* of which, *General Councils*, in *matters of Faith* only, and propoſed *as ſuch*, oblige, under pain of *Hereſie*, all the *Faithful*, to a *Submiſſion of Judgment*. But,

What is the Authority of *General Councils*

1 Tim. 6. 20. d Joh. 14. 16.

2. It is no Article of Faith to believe, That *General Councils* cannot *Err*, either in matters of *Fact* or *Diſcipline*, alterable by circumſtances of time and place; or in matters of *Speculation* or *Civil Policy*, depending on meer humane Judgment, or Teſtimony. Neither of theſe being *Divine Revelations* (*d*) *depoſited* in the *Catholick Church*; in regard to which alone, ſhe hath the (*e*) *promiſed Aſſiſtance of the Holy Ghoſt*. Hence it is deduced,

An Explanation of the ſame Authority.

3. If a *General Council* (much leſs a *Papal Conſiſtory*) ſhould undertake to *depoſe a King*, *and abſolve his Subjects from their Allegiance*; no *Catholick*, as *Catholick*, is bound to *ſubmit* to ſuch a *Decree*. Hence alſo it followeth:

A Deduction from thence concerning Allegiance.

4. The

A second Deduction concerning the same.

4. The Subjects of the King of *England* lawfully may, without the least breach of any *Catholick Principle*, Renounce, even upon Oath, the Teaching, Mantaining, or Practising the *Doctrine of deposing Kings* Excommunicated for *Heresie*, by any Authority whatsoever, as Repugnant to the *fundamental Laws* of the Nation, *Injurious to Soveraign Power*, Destructive to the *Peace and Government*; and by consequence, in His Majesties Subjects, *Impious and Damnable*. Yet not properly *Heretical*, taking the Word *Heretical* in that connatural, genuine *sense*, it is usually understood in the *Catholik Church*; on account of which, and other Expressions, (no wise appertaining to Loyalty,) it is, that *Catholicks* of *tender Consciences* refuse the *Oath* commonly call'd *the Oath of Allegience*.

Of the Oath of Allegiance.

The Bishop of *Rome* Supreme Head of the *Church* but not Infallible.

5. *Catholicks* believe, That the Bishop of *Rome* is the Successor of St. *Peter*, (*d*) Vicar of *Jesus Christ* upon Earth, and *Head of the whole Catholick Church*; which *Church* is therefore fitly stiled *Roman Catholick*, being an *universal Body* (*e*) united under *one visible Head*. Nevertheless,

d Mat. 16. 17. Luke 22. 31. Jo. 21. 17.
e Eph. 4. 11. &c.

6. It is *no matter of Faith* to believe, That the *Pope* is in himself *Infallible*, seperate from a General Council, even in *Expounding the Faith*: By consequence *Papal Definitions* or *Decrees*, though *ex Cathedra*, as they term them, (taken exclusively from a *General Council*, or *Universal Acceptance of the Church*) oblige none under *Pain of Heresie*, to an interior Assent.

Nor hath any Temporal Authority over Princes.

7. Nor do *Catholicks as Catholicks* believe, that the *Pope* hath any direct, or indirect *Authority* over the *Temporal Power* and Jurisdiction of *Princes*. Hence, if the *Pope* should pretend to *Absolve* or *Dispence* with His Maiesties Subjects from their *Allegiance*, upon account of *Heresie* or *Schism*, such *Dispensation* would be *vain, and null*; and all *Catholick* Subjects (notwithstanding such *Dispensation* or *Absolution*) would be still bound in Conscience to *defend* their King and Countrey, at the hazard of their Lives and Fortunes, even *against the Pope* himself, in case he should invade the Nation.

1 Pet. 2. v. 12, &c.

The *Church* not responsible for the Errors of particular Divines.

8. And as for *Problematical Disputes*, or Errors of particular *Divines*, in this, or any other matter whatsoever, the *Catholick Church* is no wise *responsible* for them: Nor, are *Catholicks as Catholicks*, justly *punishable* on their Account. But,

King-Killing Doctrine Damnable Heresie.

9. As for the *King Killing Doctrine*, or Murder of Princes, Excommunicated for Heresie; It is an *Article of Faith* in the *Catholick* Church, and expresly declared in the General Council of *Constance*, That such Doctrine is *Damnable* and *Heretical*, being contrary to the known *Laws* of God, and Nature.

Conc. Const. Sess. 15.

Personal misdemeanours not to be imputed to the *Church*.

10. *Personal Misdemeanors* of what Nature soever, ought not to be *Imputed* to the *Catholick* Church, when not Justifyable by the *Tenents* of her Faith and Doctrine; For which Reason, though the Stories of the *Paris Massacre*; *the Irish Cruelties*; Or *Powder-Plot*, had been exactly true, (which yet for the most part are Notoriously mis-related) nevertheless *Catholicks as Catholicks* ought not to Suffer for such *Offences*, any more then the Eleven *Apostles* ought to have Suffered for *Judas's Treachery*.

By

No Power on Earth can authorise Men to *Lye, Forswear, Murther*, &c.

It is an *Article of the Catholick Faith* to believe, that no *Power* on Earth can *License* Men to *Lye*, to *Forswear*, and *Perjure* themselves, to *Massacre* their Neighbours, or destroy their Native Countrey, on pretence of *promoting the Catholick Cause, or Religion*; Furthermore, all *Pardons and Dispensations* granted, or pretended to be granted, in order to any such *ends* or Designs, have no other *validity* or Effect, then to add *Sacriledge* and *Blasphemy* to the above-mentioned Crimes.

Equivocation not allowed in the *Church*.

12. The Doctrine of *Equivocation* or Mental Reservation, however wrongfully Imposed on the *Catholick Religion*, is notwithstanding, neither taught, nor approved by the Church, as any part of her Belief. On the contrary, *Simplicity, and Godly Sincerity*, are constantly recommended by her, as truly *Christian Vertues*, necessary to the Conservation of *Justice, Truth, and Common Society*.

PARAGRAPH III.

Of ſome Particular controverted Points of Faith.

Of Sacramental Abſolution

a Ez. 18. 21. 2 Cor. 7. 10. b Pſa. 32. 5. Pro. 28. 13. c Act. 19. 18. 1 Cor. 4, 1, Jam. 5. 16. d Luk. 3. 8. e Joh. 20, 21, &c. Mat. 18. 18.

1. EVery *Catholick is obliged to believe*, that when a Sinner (*a*) Repenteth him of his Sins from the *bottom* of his *Heart*, and (*b*) *Acknowledgeth* his Trantgreſſions to *God* and his (*c*) *Miniſters*, *the Diſpenſers of the Myſteries of Chriſt*, reſolving to turn from his evil ways, (*d*) and *bring forth Fruits worthy of Penance*, there is (then and no otherwiſe) an *Authority* left by Chriſt to *Abſolve* ſuch a *Penitent Sinner* from his Sins: which *Authority* Chriſt gave to his (*e*) *Apoſtles*, and their *Succeſſors*, the *Biſhops and Prieſts* of the *Catholick* Church, in thoſe words, when he ſaid, Receive ye the *Holy Ghoſt*, whoſe *Sins* you ſhall *forgive*, they are *forgiven* unto them, *&c.*

Of Satisfaction by penitential works

f Tit. 3. 5. g 2 Cor. 3. 5. h Act. 26. 20. Jonas 3. 5. &c. Pſa. 102. 9. &c. Pſa. 109. 23. Dan. 9. 3. Joel 2. 12. Luke 11. 41. Acts 10. 4. i 1 Pet. 2. 5.

2. Though no *Creature* whatſoever can make (*f*) Condign *ſatisfaction*, either for the *Guilt* of Sin, or the *Pain Eternal* due to it; (*g*) This ſatisfaction being proper to Chriſt our Saviour only; yet *Penitent Sinners* Redeemed by Chriſt, may, as *Members of Chriſt*, in ſome meaſure (*h*) *ſatiſfie* by Prayer, Faſting, Almes Deeds, and other *Works of Piety*, for the *Temporal Paine*, which by order of Divine Juſtice ſometimes remains due, after the *guilt* of Sin, and *Pains Eternal* are (*gratis*) *remitted*. Theſe *Penitential Works* are notwithſtanding *ſatisfactory* no otherwiſe, than as *joyned* and applyed to that *ſatisfaction*, *which Jeſus made upon the Croſs*; *in vertue of which alone, all our good works find a grateful* (*i*) *acceptance in God's Sight.*

Indulgences are not Remiſſion of Sins, but only of Canonical Penances. Abuſes herein not to be charged on the Church.

k 1 Cor. 5. 3, &c. l 2 Cor. 2. 6, &c.

3. The Guilt of Sin, or Pain Eternal due to it, is never remitted by *Indulgences*; but only ſuch (*k*) *Temporal Puniſhments* as remain due after the Guilt is remitted; Theſe Indulgences being nothing elſe than a (*l*) *Mitigation* or *Relaxation* upon juſt cauſes, of *Canonical Penances*, enjoyned by the Paſtors of the Church on Penitent Sinners, according to their ſeveral Degrees of Demerit. And if any abuſes or miſtakes be ſometimes committed, in point either of Granting or Gaining *Indulgences*, through the Remiſneſs, or Ignorance of particular Perſons, contrary to the ancient Cuſtom and Diſcipline of the Church; ſuch Abuſes or Miſtakes cannot rationally be charged on the Church, nor rendred matter of Deriſion, in prejudice to her Faith and Doctrine.

There is a *Purgatory* or *State*, where Souls departing this Life with ſome blemiſh are puriſi'd

m Nu. 14. 20, &c. 2 Sam. 12. 13, &c. n Pro. 24. 16. Mat. 12. 36. & cap. 5. 22. 26. o Mat. 5. 26. 1 Cor. 3. 15. p Rev. 21. 27.

4. *Catholicks* hold there is a *Purgatory*, that is to ſay, a Place, or State, where Souls departing this Life, with Remiſſion of their Sins, as to the Eternal Guilt or Pain, (*m yet Obnoxious* to ſome Temporal *Puniſhment* ſtill Remaining due; Or not perfectly freed from the Blemiſh of ſome (*n*) *venial Defects* or *Deordinations*, (as Idle Words, *&c.* not liable to Damnation) are (*o*) *purged* before their Admittence into Heaven; where nothing that is (*p*) *defiled* can *enter*. Furthermore,

Prayers for the Dead available to them. Superfluous Queſtions about Purgatory.

q 1 Cor. 15. 29. Coll. 1. 24. 2 Mac. 12. 42, &c. 1 Jo. 5. 16.

5. *Catholicks* alſo hold, That ſuch Souls ſo detained in *Purgatory*, being the *Living Members* of Chriſt Jeſus, are *Relieved* by the (*q*) *Prayers* and *Suffrages* of their *Fellow-members* here on Earth: But where this *place* is? Of what Nature or Quality the Pains are? How long each Soul is detained there; After what manner the *Suffrages* made in their behalf are applyed? Whether by way of *Satisfaction* or *Interceſſion*? &c. are Queſtions Superfluous, and Impertinent as to *Faith.*

Of the merit of good Works, through the merits of Chriſt.

r Jo. 15. 5. 16. s Mat. 16. 27. Cap. 5. 12. Cap. 10. 42. 2 Cor. 5. 10. 2 Tim. 4. 8.

6. No Man, though *juſt*, (*r*) can *Merit* either an Increaſe of Sanctity or Happineſs in this Life, or Eternal Glory in the next, Independent on the *Merits* and *Paſſion* of Chriſt; Nevertheleſs in, and by the *Merits* of Chriſt Jeſus, (*s*) the *good Works* of a juſt Man, proceeding from *Grace* and *Charity*, are *acceptable* to God, ſo far forth as to be, through his *Goodneſs*, and Sacred *Promiſe*, Truly *Meritorious* of Eternal Life.

Chriſt really preſent in the Sacrament of the *Euchariſt.*

t Mat. 26. 26. Mark 14. 22. Luke 22. 19. 1 Cor. 11. 23, &c. Cap. 10. 16.

7. It is an Article of the *Catholick Faith*; That in the moſt Holy *Sacrament* of the *Euchariſt*, there is Truly, and Really, contained the (*t*) *Body of Chriſt*, *which was delivered for us, and his Bloud, which was ſhed for the Remiſſion of Sins*; The ſubſtance of *Bread and Wine*, being by the powerful Words of Chriſt, *changed*

ged into the *Subſtance* of his Bleſſed Body and Bloud, the Species or Accidents of *Bread, and Wine* ſtill remaining. Thus,

8. Chriſt is not preſent in this Sacrament, according to his *natural* way of Exiſtence, that is, with extenſion of parts, in order to place &c. but after a *Supernatural* manner, one, and the ſame, in many places, and whole, in every part of the Symbols. This therefore is a Real, *Subſtantial*, yet *Sacramental* Preſence of Chriſt's Body and Blood, not expoſed to the external Senſes, nor Obnoxious to corporeal Contingences.

But after a ſupernatural manner

9. Neither is the Body of Chriſt in this Holy *Sacrament*, *Seperated* from his Bloud, or his Bloud from his Body, or either of both *disjoyned* from his *Soul* and Divinity, but all and whole (*n*) *living* Jeſus is *entirely* contained under *either* Species; ſo that whoſoever receiveth under *one kind*, is truly partaker of the *whole Sacrament*, and no wiſe deprived *either* of the Body or Bloud of Chriſt. True it is,

Whole Chriſt in either ſpecies. Hence Communicants under one kind; are no wiſe deprived either of the Body or Bloud of Chriſt.

10. Our Saviour Jeſus Chriſt left unto us his Body and Bloud, under two *diſtinct* Species or Kinds; in doing of which, he inſtituted not only a *Sacrament*, but alſo a Sacrifice; (*x*) a *Commemorative Sacrifice* diſtinctly (*y*) *ſhewing* his *Death* or Bloudy Paſſion, *until he come*. For as the *Sacrifice of the Croſs* was performed by a diſtinct *Effuſion of Bloud*, ſo is the ſame Sacrifice *Commemorated* in that of the (*z*) *Altar*, by a *diſtinction of the Symbols*. Jeſus therefore is here *given* not only *to us*, but (*a*) *for us*: and the Church thereby enriched with a true, proper, and propitiatory (*b*) Sacrifice, uſually termed *Maſs*.

Of the Sacrifice of the Maſs.

11. *Catholicks* Renounce all *Divine Worſhip*, and Adoration of *Images* or Pictures (*c*) *God alone we Worſhip and Adore*: nevertheleſs we make uſe of Pictures, and place them in (*d*) *Churches* and Oratories, to reduce our wandering thoughts, and Enliven our Memories towards *Heavenly things*. And farther, we allow a certain *Honour* and *Veneration* to the *Picture of Chriſt*, of the *Virgin Mary*, &c. beyond what is due to every *Prophane Figure*; not that we believe any *Divinity*, or Vertue in the Pictures themſelves, for which they ought to be Honoured, but becauſe the Honour given to the *Pictures* is referred to the *Prototype*, or things repreſented. In like manner,

Worſhip of Images wrongfully Impos'd on *Catholicks*. Yet there is ſome Veneration due both to Pictures,

12. There is a kind of Honour and Veneration Reſpectively due to the *Bible*, to the *Croſs*, to the Name of *Jeſus*, to *Churches*, to the *Sacraments*, &c: as (*e*) things peculiarly appertaining to God; alſo to the (*f*) *glorified Saints* in Heaven, as the Domeſtick Friends of God; yea, (*g*) to *Kings*, *Magiſtrates*, and *Superiors* on Earth, as the *Vicegerents* of God; To whom *Honour* is due, *Honour* may be *given*, without any Derogation to the Majeſty of God, or that *Divine Worſhip* appropriate to him. Furthermore,

And other ſacred things.

13. *Catholicks* believe, That the *bleſſed Saints* in Heaven repleniſhed with Charity, (*h*) *pray* for us their *fellow-Members* here on Earth; that they (*i*) *Rejoyce at our Converſion*; that ſeeing God, they (*k*) *ſee and know in him* all things ſuitable to their *happy State*; that God is *Inclinable* to hear their *Requeſts* made in our behalf; (*l*) and for their ſakes, grants Us many Favours; That therefore it is *Good*, and Profitable to *Deſire* their *Interceſſion*; And that this manner of *Invocation* is no more Injurious to Chriſt our *Mediator*; nor *Superabundant* in it ſelf, than it is for one Chriſtian to beg the *Prayers* and *Aſſiſtence* of (*m*) *another* in this World. Notwithſtanding all which, *Catholicks* are taught not ſo to Relie on the *Prayers of Others*, as to neglect their own (*n*) *Duty* to *God*: In *Imploring* his *Divine Mercy* and *Goodneſs*: (*o*) in *Mortifying* the *Deeds of the Fleſh*: in (*p*) *Deſpiſing the World*: in *Loving and* (*q*) *Serving God, and their Neighbours*: in *Following the Footſteps of Chriſt our Lord*, who is the (*r*) *Way*, the *Truth*, and the *Life*: To whom be Honour and Glory for ever and ever, *Amen*.

Prayers to Saints lawful.

Yet ſo as not to neglect our Duties.

n Jo. 6. 48. 50, 51, 57, 58. Acts 2. 42.

x Lu. 22. 19, &c. *y* 1 Cor. 11. 26.

z Heb. 13. 10. *a* Luke 22. 19. *b* Mal. 1. 11.

c Luke 4. 8. *d* Ex. 25. 18. 1 Kings 6. 35. Luke 3. 22. Numb. 21. 8. Acts 5. 15.

e Joſ. 7. 6. Ex. 3. 5. Pſa. 99. 5. Ph. 2. 10. Luke 3. 16. Acts 19. 12. *f* Jo. 12. 26. *g* 1 Peter 2. 17. Rom. 13. 7.

h Rev. 5. 8. *i* Luke 15. 7. *k* 1 Cor. 13. 12. *l* Ex. 32. 13. *m* 2 Chron. 6. 42. Rom. 15. 30. *n* James 2. 17. 30, &c. *o* Rom. 13. 14. *p* Rom. 12. 2. *q* Gal. 5. 6. *r* John 14. 6.

THeſe are the *Principles*, Theſe the *Treaſons*, Theſe the *Idolatryes*, and *Superſtitions*, which, though no other then what We have *Receiv'd* of our *Foreſathers*, and what the greateſt part of the *Chriſtian World* now profeſs: yet have drawn upon Us poor *Catholicks* in *England* ſuch *Dreadful Puniſhments*. I Beſeech you Sir, conſider our Caſe, without *Paſſion* or *Prejudice*, and I am confident you will ſee, We are not ſuch *Monſters*, as our Adverſaries Repreſent Us to be: nor entertain ſuch *Principles*, as are Inconſiſtent with our *Duty* to *God* and the *King*.

A Concluſion from the Premiſes.

You ſeem to ſay, This very *Plot*, with which We are charged, proves us Guilty of *wicked Principles*. But, under Favour, You here commit a Vicious Circle in way of Arguing: For firſt, here are *wicked Principles* alledg'd to make good the *Proof* of a *Plot*: And theſe being deny'd, the *Plot* is introduced to make out the *wicked Principles*: As if a Man ſhould *ſay a thing*, becauſe he *thought ſo*; and give no Reaſon why he *thought ſo*, but only becauſe he *ſaid ſo*; which inſtead of *Proof*, is to beg the *Queſtion*. Certain I am, *Catholicks* both *Taught*, and *Practiſed* Principles of *Loyalty*, at a Time, when the *King* and *Kingdom* felt the *Dire Effects* of contrary *Perſwaſions*.

An Objection Anſwered.

In Fine, whatſoever is pretended againſt Us, it is manifeſt We ſuffer for our Religion, and for our Religion *wrongfully traduced*. It is a farther Comfort to Us, that our Sufferings (God be praiſed) are in ſome meaſure, not unlike to thoſe of *Chriſt our Lord*: For it was laid to his Charge, as it is to Ours, that he was a *Traytor* to (*a*) *Cæſar*; That he perverted the People, and endeavored the (*b*) *Deſtruction of Church and State*: Nor were there wanting, then as now, an *OATS* and *BEDLOE*, (*c*) *two falſe Witneſſes to Swear all this*.

Catholicks ſuffer for their Religion. Their Sufferings not unlike to thoſe of Chriſt our Lord.

a Luke 23. 2.
b John 11. 48.
c Matt. 26. 60.

Thus God, I hope, hath Predeſtinated Us, (as the Apoſtle ſaith) to be *conform to the Image of his Son*: to the end, that *Suffering with* Him, We may (through his Mercy) be Glorified together with him.

Rom. 8. 29. Verſe 17.

Sweet Jeſus Bleſs our *Soveraign*: Pardon our *Enemies*: Grant Us *Patience*: and Eſtabliſh *Peace*, and *Charity* in our Nation.

THus much of my *Lord's Principles* in Reference to *God* and the *King*; Whether they be agreeable to Reaſon; and conformable to the *Law* and *Goſpel* of *Chriſt*, I leave to the Impartial Reader to Judge.

SECT. IV.

My Lord's Declaration before the Houſe of Lords after his Condemnation.

SOon after my *Lords Tryal*, ſeveral of his Relations and Acquaintance, (ſome out of zeal againſt *Popery*, and others out of kindneſs to my *Lord*,) were daily urgent with him to make Diſcoveries of all he knew, as the only remaining remedy whereby to ſave his Life, regain the *Kings* favour, and attract the applauſe of the whole Nation. My Lord always reply'd, *He was moſt willing and ready out of a meer ſenſe of* Duty *and* Conſcience (independent of any Temporal advantage to himſelf) *to diſcover with all imaginable Sincerity, the utmoſt*

utmost of what he knew, either to the King, *or* House of Lords, *when ever they required it.* The *Lords* being informed hereof, Ordered his appearance before them the next day. When he came, and had audience granted, he made his acknowledgments to this effect. 'That he thought 'it no crime in any Man to wish his Neighbour might be of the same '*Religion* wherein he himself hoped to be saved; Nay to seek, and pro-'mote it by such ways and means, as the Laws of God, and the Na-'tion allow. That there had been at divers times, and on sundry oc-'casions, endeavours used, and overtures made to obtain an *Abro-'gation*, or at least a *Mitigation* of Severities against *Catholicks*: But 'this to be procured no otherwise then by Legal and *Parliamentary* 'means. That he himself went to *Breda*, whilst the *King* was there, 'and propounded 100000 *l.* in behalf of the *Catholicks*, to take off the 'penal Laws. That after the *King* came in, there was a Bill brought 'into the House, in favovr of *Catholicks*, but it was opposed by my 'Lord *Chancellour Hide*. That there had likewise been framed by the 'Lord *Bristol* and others, (in order to the proposing of them in *Parlia-'ment*,) several forms of *Oaths*, contained in such terms as might fully 'express all *Duty* and *Allegiance* to the *King*; yet not entangle *tender* '*Consciences* with Clauses and Provisoes, disagreeable to *Faith*, and no 'wise appertaining to *Loyalty*; but neither did this succeed. That 'afterwards he had offered some proposals, as well to the *Lord Chan-'cellour* at his House at *Kensington*, as to the *Duke of York*, concerning 'some lawful expedients, conducing to the good, (as he thought,) 'both of *Catholicks* and the whole *Nation*. And also about *Dissolving* 'the long *Parliament*; the substance of which he likewise communi-'cated to my *Lord Shaftsbury*, who said, *He doubted not, but that there* '*would come great advantages to the* King *by it*. These he avouched 'were the chief, and only *Designs* he ever had, or knew of amongst '*Catholicks*, for promoting their *Religion*; Of more then these he pro-'tested before *Almighty God* and their *Lordships*, he was wholly igno-'rant. But this *Declaration* not being satisfactory towards the de-tecting any *Damnable Conspiracy*, the *Lords* thought fit without any further Examination to remand him back to the *Tower*.

On this occasion, there run about both *Town and Countrey* an universal Rumor. That the *Lord Stafford* had now made a full and perfect *Discovery* of the whole *Plot*; And that the *Papists* could not for the future have the Impudence to deny it, after the Confession (though to save his Life,) of so *Honourable a Person*; But this proved a mistake. And by the way it was very observable, *My Lords Adversaries* took this false Alarm with so much eagerness and joy, as sufficiently denoted, they were not well assured of the truth of the former *Evidence* given against him.

SECT. V.

My Lord's Comportment and Exerciſe after Sentence.

THE greateſt part of his time from his laſt *Sentence* to his final *End*, he employed in ſerious *Recollection* and fervent *Prayer*, wherein he ſeemed to receive a daily encreaſe, both of *Courage* and *Comfort*, as if the *Divine Goodneſs* (ſay the *Papiſts*) intended to ripen him for *Martyrdom*, and give him a taſte of *Heaven* before-hand. Indeed he behaved himſelf in all things like a Man, whoſe *Innocence* had baniſhed the *Fear* and horrour of *Death*.

Some few days before his Execution he received a *Letter*, which becauſe it is fouly ſuſpected to have come from ſome *Colledge* or *Seminary* beyond Seas, I ſhall here ſet it down *verbatim*, to the end every one may ſee how the *Prieſts* treat their *Penitents*, in the condition and circumſtances my *Lord* was in.

My Lord,

THE Character *I bear*, *gives me ſome* Title, *And the ſingular eſteem I have for your Noble and Truly virtuous* Perſon *and* Family, *gives me* Confidence *to preſent your* Lordſhip, *in this your laſt and Grand* Affair, *with a* Conſolatory *or rather* Congratulatory Letter. *As I daily make my* Supplication to God *on your behalf*; *ſo I hope I may make my* Addreſſes to you *on Gods behalf. You are choſen by the* King of Kings, *to ſhare with him in Immortal* Crowns: *You are called from an Abiſſe of miſery to the top of Felicity: You now pay a debt on the ſcore of* Grace, *which is due, and which you muſt ſhortly have paid to the courſe of* Nature. *And herein my* Lord, *you are adorned with all the* Tro-
a Luke 23. Matth. 26. phies of Jeſus's Victory; *He was* Condemned *of* (*a*) High Treaſon by falſe Witneſſes *for the love of you*: *And you ſtand* Condemned of the ſame Crimes, *by the like* Evidence *for the love of him. Yet you ſhall not die my* Lord: *'Tis a miſtake of this blind World, you ſhall only paſs from a ſtate of* (*b*) Death *to a ſtate of* Life; *True Life, Eternal Life*; *you ſhall*
b Rom. 7. *c* Exod. 3. 14. *d* Coll. 1. *e* Exod. 33. *be Transformed into him, whoſe* (*c*) eſſence *is to live*; (*d*) In whom, with whom, and by whom; *you ſhall enjoy* all that is (*e*) good; *all that is lovely*; *all that is pleaſant: And this enjoyment ſhall be in all its fulneſs, altogether, all at once*; *without Interruption, without Bound, Limit, or End.*

The Omnipotent Creator *of Heaven and Earth*; *The ſearcher of* Hearts; *The dreadful* Judge *of Men and Angels: He who juſtly might otherwiſe peradventure have caſt you into Eternal Fire*; *From whoſe* Sentence *there is no Appeal. He, I ſay, will now be forgetful of paſt Frailties, regard you with a merciful Eye, with a pleaſing Countenance, a loving heart, an open Arm, an endeared affection*; *Millions of* Lawrels *hang over your Head*; *Thouſands of Millions of* Glories *and* Sweets, *attend you, which*
f 1 Cor. 2. *neither* (*f*) Eye hath ſeen, nor Ear hath heard, nor hath entered into the heart of man. *The* Virgin *Mother ſhall meet and conduct you to*

her

her beloved Son; *The* Apoſtles, Martyrs, *and* Confeſſors, *ſhall receive and accompany you*; *And all the bleſſed Quires of Saints and Angels ſhall Celebrate your victory, and* (g) Sing Halleluja's *to their celeſtial* King *for his Inſpeakable* goodneſs *to you.* g Luke 15.

My Lord, *You were made for the enjoyment of* God, *and now you arrive at the accompliſhment of that* End; *you owe to* God *all you* have, *and all you* are; *And now you reſtore to him all, both what you* have, *and what you* are. *O happy Reſtauration, where the advantage is wholly yours, where Miſery is turned into Bliſs, where Temporal into Eternal, where God is found, where* Death *(as the Apoſtle ſaith) is* (h) Gain. *The Innocence of your Cauſe, The Dignity of your Religion for which you Suffer, entitles you to the merits of the Croſs, and Incorporates You to the* Bloud and Paſſion of Jeſus your Saviour. (i) If we ſhall be dead with him (*ſaith St.* Paul,) we ſhall live together with him; If we ſuffer with him, we ſhall Reign with him. *Hence our Saviour himſelf*; He (k) that looſeth his Life for me, ſhall ſave it. *Again*, If (l) any Man will ſerve me, let him follow me. And where I am, there ſhall my Servant be alſo. *You are going to the* (m) Nuptials of the Lamb. *God who is all good, is pleaſed to* (n) Impart himſelf entirely to you. Love *hath made him wholly yours*; *What need you fear? What can you deſire? He that* dyed *for the love of you, will now reap the Fruits of his pains, and joy himſelf in you, with delights proportionable to his own Goodneſs and Merits. You are Select from* amongſt (o) Thouſands *for the* Eſpouſals *of Love*; *Let nothing either paſt or preſent deject you*; *nothing diſturb you, nothing retard you*; (p) Let not your heart be troubled, (*ſaith our Saviour*) nor let it be afraid. h Phil. 1. 21. i 2 Tim. 2. 12. k Luke 9. 24. l John 12. 26. m Apoc. 19 n 1 John 3. 2. o Cant. 5. p John 14. 1.

As for the Crimes for which you ſtand Condemned, God *and your own Conſcience knows you are* Innocent; *All* un-intereſted *Men believe you ſo*; *Paſſion and* prejudice *againſt your* Religion, *hath advanced the credit of* Perjured *Perſons, and influenced your Adverſaries to carry on your Death. Had you been no* Catholick, *we all know, you had never been a* Condemned Man; *So that it is palpably manifeſt you Die for your* Religion, *and* for your *Religion* wrongfully traduced. *What greater comfort? What greater glory? What greater happineſs, can arrive to a true* Chriſtian? (q) Bleſſed ſhall you be (*ſaith our Saviour,*) when Men ſhall revile you, and perſecute you, and ſhall ſay all manner of evil againſt you Falſly for my ſake; Rejoyce and be glad, for great is your reward in Heaven. q Matth. 5. 11.

Concerning your real defects and frailties; *Take courage*; *take confidence in God, my Lord*; *I have already told you, what right you have to the* Paſſion of Chriſt; *Your preſent* Death, *is more then a Pledge of future* Pardon. (r) Many ſins are forgiven her (*ſaith our Saviour to* Magdalen,) becauſe ſhe loved much; to him that loveth leſs, leſs is forgiven. *Now what it is to love much, he himſelf ſheweth, ſaying,* (s) No Man hath greater Love then this; That a Man lay down his Life for his Friend. *Hence the Spouſe in the Canticles.* (t) Love is ſtrong as death, &c. *And our Saviour in expreſs terms aſſureth us.* (u) He that looſeth his Life for me, ſhall find it. r Luke 7. 47. s John 15. 13. t Cant. 8. 6. u Mat. 10. 39.

Firſt therefore, acknowledge your faults, with a Penitent Heart, *and firmly believe what the Scripture avoucheth.* (x) If we confeſs our Sins, he is faithful and juſt, to forgive us our Sins, and cleanſe us from all Iniquity. *Next offer with a* chearful Heart *your Life to God*; *In* ſatisfaction x 1 John 1. 9.

on *for your offences*; *In* union *of the Sufferings of* Jesus Christ; *In a* Sacrifice *of Love. And then doubt not in the least but that Dying, as you do, in, and for the* Profession *of your* Faith; Jesus *hath signed your* Pardon, *and pronounced upon your Soul, those Life-giving words.* Thy Sins are
y Lu. 7. 48. &c. 50 forgiven thee, (*y*) Thy Faith hath saved thee; Go in Peace.

Neither let any endearments *towards your* Wife, Children, Friends *or* Family *enfeeble your mind, check your Love, or imbitter your Joy. Re-*
z Mat. 10. 37. *member that Sentence of our Saviour.* (*z*) He that loveth Son or Daugh-
a Cap. 19. 29. ter above me, is not worthy of me. *Again,* (*a*) Every one that hath forsaken Houses, or Brethren, or Sisters, or Wife, or Children, or Lands, for my Names sake, shall receive an hundred fold, and possess eternal Life; *You cannot give* God *too much; You can bestow nothing on him, but what you have received of him; and what, upon many accounts, is infinitly due to him. But in reality, my* Lord, *you do not desert your Friends, nor they you, by rendring your self and them to* God, *suffering for* Jesus; *He it is standeth charged with the care of your* Wife, Children, *and* Family;
b Psal. 68. 5. *He stileth himself,* (*b*) The Father of Orphans, and Judge of Wid-
c Exod. 20. 5. dows. *As he* (*c*) *punisheth to the* fourth Generation of them that hate him; *So* he blesseth, unto thousands of them that love and follow him. *Assure your self, my* Lord, *That for this one Heroick Act, of giving your*
d Mat. 5. 10. *life* (*d*) *for* Justice, *for Innocence, for God, and Religion; you will not only secure to your self everlasting Salvation, but draw upon all your Family and Posterity thousands of Benedictions.* The Justice of our Lord (*saith*
e Psal. 103. 17. David, (*e*) upon the Childrens Children, of them that keep his Cove-
f Psal. 112. 1. nant. *Again,* (*f*) Blessed is the Man that feareth the Lord, that delighteth in his Precepts, his Seed shall be powerful on Earth; the generation of the just shall be Blessed. *Lastly, that Sentence of* Ecclesiastes
g Eccle. 39. *will fitly appertain to you;* (*g*) His memory shall not pass away, and his name shall be preserved from Generation to Generation. Nations shall declare his Wisdom, and the Church shew forth his Praise.

I shall not undertake to dictate unto your Lordship, *what Prayers or Elevations of heart, are most proper on this occasion; The* Holy Ghost, *whose* Spouse, *whose* Son, *whose* Temple, *whose* Victim *you are, will inspire you with better thoughts then I can suggest; I shall therefore here content my self with some few Citations of sacred* Texts, *out of which you may*
h Psal. 27. 12. *upon occasion draw the comfort of Devotion.* (*h*) Evil Witnesses have risen up against me; and iniquity hath belyed it self; I believe to see
i John 11. 25. the goods of our Lord in the Land of the Living. (*i*) I am the Resurrection and the Life; He that believeth in me, shall not dye for ever.
k Isa. 43. 1. (*k*) Fear not, for I have redeemed thee; I have called thee by thy
l Cap. 41. 10. name, thou art mine. (*l*) Do not fear, for I am with thee, do not de-
m Psal. 91. 14. cline, for my right hand hath sustained thee. (*m*) Because he hath trusted in me, I will deliver him; I will protect him, because he hath known my name; He shall cry unto me, and I will hear him; I am with him in Tribulation, I will deliver him, and will glorifie him, with length of days will I repleniſh him, and will shew him my Salvation.
n Jer. 31. 3. (*n*) In perpetual charity have I loved thee; therefore I have drawn
o Psal. 73. 26. thee to me, taking Compassion on thee. (*o*) My heart and my flesh
p John 16. 20. hath fainted. O God of my heart, my inheritance, God for ever. (*p*) The World shall rejoyce, and you shall be sorrowful; But your sorrow
q Verse 33. shall be turned into Joy, and your Joy none shall take from you. (*q*)
r Psal. 27. 9. Be confident, I have overcome the World. (*r*) Be thou my helper, do

not

not forsake me, neither despise me, O God my Saviour. (*s*) In thee O Lord have I trusted, let me not be confounded. (*t*) I live and you shall live; You shall know that I am in my Father, and you in me, and I in you. (*u*) Certain I am, that neither Death nor Life, *&c.* can separate us from the Love of God which is in Christ Jesus our Lord. (*x*) Whether we Live or Die, we are our Lords. (*y*) To me, to Live is Christ, and to Die is gaine. (*z*) I desire to be Dissolved, and to be with Christ. (*a*) Into thy hands O Lord I commend my Spirit. (*b*) Come ye blessed of my Father, possess the Kingdom prepared for you. (*c*) This day shalt thou be with me in Paradise.

s Psal. 31. 1.
t John 14. 19.
u Rom. 8. 38.
x Rom. 14. 8.
y Phil 1. 21. Verse 23.
z *a* Psal. 30. 5.
b Mat. 25. 34.
c Luke 23. 43

The God of hope fill you with all Joy, and Peace in believing, that you may abound in hope and vertue of the Holy Ghost. Rom. 15, 13.

Your Lordships most devoted Servant in our Lord. N. N.

THose hours he spared from *Prayer* or necessary repose, he bestowed part in the entertainment of his Friends (though indeed none were permitted to come at him, but under severe Provisoes and Restrictions) amongst whom he demeaned himself with exceeding Sweetness, Candor and Alacrity of Spirit, Connatural to him always; but more especially after he had an assurance of his Death; Insomuch that he could not endure to see any in grief or dejection on his account. For this reason his sad and disconsolate *Lady* (who alone touched his heart, and who could no longer support the weight of her affliction,) was forced entirely to absent her self, from him the day before his *Passage* out of this World.

Some moments likewise he allowed to give his last *Adieu* by Letters to his neareſt Relations; particularly to his aforesaid most *Dear Lady*, whose incomparable vertue, and above forty years experienced constant affection to him, had taken a deep impression in his *Soul*; But because the Letters themselves express his mind and disposition better then I can describe it: Read here these few Copies, which good fortune brought authentick to my hands.

To my most Dear and Kind Wife.

My Dear and most Kind Wife.

GOD *of his Mercy and Goodness, I most humbly beseech him to reward you for your extraordinary Kindness and Love to me; I am sure, no Man ever had a better Wife in all kinds, then you have been unto me; I am most heartily sorry, that I have not been able to shew how happy I have held my self, in the great blessing which* God *was pleased to afford me in having you, not only for the great* Family *to which you are the undoubted* Heir; *and* Estate *you brought me and mine; but for the great* Love *you have always born me. I sincerely ask you Pardon with all my heart, for all that I have done to give you any dislike; I know you will forgive me out of your kindness and affection, you have so often shewn unto me more then I deserved; If I should repeat all the kindness and affection you have shewn unto me, and of all which I am most sensible, I should not know when to end: God reward you. You were present this day when* The first Letter to his Lady.

Mr. Lievtenent *brought me word of the* day of my Death, *I know the trouble it brought unto you. I do moſt willingly ſubmit my ſelf to* Gods Holy will, *and ſince he knows how* Innocent *I am, and how* Falſly *I am* Sworn *againſt, I am moſt confident, that the moſt* Bleſſed Trinity *will, through the* Merits *and* Paſſion *of our* Saviour Jeſus Chriſt, *grant me a place in* Heaven *of happineſs, to glorify* God *to all* Eternity *amongſt his* Angels *and* Saints; *the loweſt place in* Heaven *being an happineſs above all the Kingdoms of the* Earth. *I give* God *moſt humble thanks, that I am abſolutely quiet within my ſelf* from being guilty even ſo much as in a thought, *of that* Treaſon *I am accuſed of, and never had a thought of any thing againſt the* Perſon *or* Government *of his* Majeſty. And what I did towards the introducing of the *Catholick Religion*, was no way but that which I thought to be for the good of the Kingdom by Act of Parliament. *I do ask of the Eternal and Merciful* God, *moſt humbe Pardon for all my great Sins, hoping in the mercy of* Chriſt Jeſus, *through his moſt ſacred* Paſſion, *to obtain remiſſion of my Sins, and Life everlaſting in Heaven.* God *protect and keep you, and ours, in his holy grace. My dear I beſeech you, by the love you always bore me, afflict your ſelf as little as you can, for the unexpected, yet I doubt not, but bleſſed end of*

Yours, *&c.*

To my dear and entirely loving and beloved Wife.

My moſt dear and loving *Wife*;

The ſecond Letter to his Lady.

IT hath pleaſed God *of his infinite mercy, to bring me into the condition I am in; I take it for a mercy much greater then I could deſerve or expect. I am heartily ſorry, That I have not been ſo ſenſible of the bleſſing* God *was pleaſed to beſtow on me, by giving you unto me, as I ſhould have been; for I do from my heart acknowledge, that you have been a moſt kind loving* Wife, *as any man could have; and I was not worthy of you: I pray forgive me of any and all things that I have ever done to diſpleaſe you. I have not now many hours to live, God ſend me to make a good end; I humbly thank him, I have a great confidence in his mercy; And I do hope through the merits and* Paſſion of Jeſus Chriſt our Saviour, *to obtain everlaſting happineſs. I beſeech* God *to reward you, and bleſs you, and ſend you all happineſs. I beſeech you by the love you have always born me, to bear this my end as well as poſſibly you can: And put my* Innocence *into the ballance of my* Death. *I pray* God *to bleſs all our* Children, *who I hope will be obedient to you. I muſt not forget the Pains and Care, that my Daughter* Wincheſter *hath taken, in an extraordinary kind, and diſcreet way; I muſt likewiſe own, how groundleſs that report was, that hath been Spread abroad, That you, and ſhee, by your entreaty and perſwaſions, have kept me from* Diſcovering *my knowledge of the* Plot *ſo much ſpoken of; when* God *knows I know nothing to Diſcover, and ſhall as totally Die* Innocent, *as any Man ever did, not having in the leaſt ever had a Diſloyal heart to his* Majeſty. God *Preſerve you, and ours, and ſend us an happy meeting in* Heaven, *which is the hearty* Prayer *of him that Forty Years had the Honour to bear Your name, and now is returned unto the name of*

My dear Miſtreſs, Your moſt affectionate loving Husband,
William Howard.

St. *Stephen's* day, 1680.

Dear

Dear Harry,

GOD *of his Mercy, I am confident hath brought me hither to let me see how vain all worldly things are, and how we deceive our selves, when we think of any thing, but how with Devotion we may duly serve him;* Another to his Son *Henry* now Lord *Stafford.*
I hope by the mercy of God *to obtain everlasting* Salvation; *The All-knowing* God *sees how* Innocent *I am, from the Crimes I am charged with: it is a comfort unto me, that none of my Estate will in any way be Forfeited, but all comes unto you, as if I had Died a natural* Death. *I beseech* God *to* Bless *you, and make you happy in this World, and the World to come; and the only way to be so, is never to leave truly serving* God *upon no account whatsoever. I know you will carry your self with that duty to your* Mother, *and love and kindness to your* Brothers, *as is fit for you to do; So again beseeching* God *to Protect you and Govern you in Righteousness, I am*

Your most loving Father,
William Howard.

Good Child,

THE Condition I am in is such, as I doubt not but that God *hath brought me into it for the good of my Soul, his holy* name be praised *for it; I willingly and chearfully submit unto it. I beseech* God *to bless you, and send you eternal* Happiness, *which is the Prayer of* For my Son *John.*

Your affectionate Father
William Howard.

Good Daughter,

I Know you will beare what happens unto me with Patience and Resignation: I thank God *that I know my self in every kind* Innocent; *and that I have confidence in* Gods Mercies, *and doubt not but through the* Mercy and Passion of our Saviour, *to obtain everlasting happiness.* I Pray God bless You. *I am* For my Daughter *Vrsula.*

Your affectionate Father,
William Howard.

My good Child,

THis is the last time I shall Write unto you, I pray God bless you. *Your poor Old* Father *hath this comfort, that he is* totally Innocent *of what he was accused of, and confident of* Gods Mercy; *and through the* Merits of our Saviour, *I hope for* Salvation, *I take great content in my* Innocency, *and willingly resign my self to* Gods Holy will. *I am very much troubled to leave my* Wife, *who hath been so extraordinary a good and kind* Wife *unto me, more then I could deserve:* God *reward her. So with my* blessing *unto you, I am* For my Daughter *Delphina.*

Your most loving Father,
William Howard.

HE writ also upon occasion, several little Papers or Notes, whereof I have only these two or three Copies.

✠

1680.

'IN the Name of the Father and of the Son, and of the Holy Ghost. 'Upon *Tuesday* the 30th. of *November* the Feast of St. *Andrew*, I was 'brought to my Tryal in *Westminster-Hall* before the Peers, *Lord* 'Chancellor being *High Steward*; my Tryal continued until that day, 'seaven-night the 7th. of *December*; upon that day I was found *Guilty* 'of *High Treason* and condemned to die. I give God thanks for his 'great mercy and goodness that he hath been pleased to think me wor- 'thy of this *Sentence*, in satisfaction for my other great and hainous of- 'fences which I have committed; And I hope that through the glo- 'rious *passion of our Savour Christ Jesus*, and through his *pretious blood* 'and merits, he will be mercifully pleased to receive my *Soul* into eternal 'Happiness, in his presence amongst his *Angels and Saints*. I conceive 'this *Sentence* is fallen upon me upon the account of the Religion that 'I am of; If I had numbers of lives, I would lose them all, rather 'then forsake that Church, that I am of; and which I am well assured 'that it maintains nothing but what is well warranted by the word of 'God. I do with my whole heart forgive those Perjured men that swore 'so falsly against me; I wish them no greater punishment then to re- 'pent, and to acknowledge the wrong they have done me; I do also 'heartily forgive my Judges; and if any of them have given their *Votes* 'contrary to their *Consciences*, *God* for forgive them, I do it willingly.

Another Note. 'HOw extremly should I think my self bound to the King if in this 'Condition that I am brought into by the *Perjury* of Villains 'that swore *falsly* for gain, His Majesty should be graciously pleased 'to grant me my life; But how infinitely beyond that hath His *Divine* 'Majesty shewed his mercy and goodness to me, so many times pardo- 'ning those great, and many offences, which the least of them deserved 'an *Eternal* punishment. And of his infinite *mercy* hath been pleased 'to preserve me thus long from his just *Judgments*; And hath brought 'me hither first a *Prisoner*, when I had not done any thing in the least 'by the *Law* to deserve it; and now hath pleased to bring me to my 'Condemnation: How inexplicable are his *Mercies* unto me; And if I 'do not cordially and really repent, having this great time to recollect 'my self, nothing can excuse me. Nay even at this time when I am 'hourly looking to hear of the hour of my *Execution*, I have time by 'his Omnipotent *mercy* to lay my *Heart* prostrate on the ground, to 'beg his *Pardon*, and acknowledg his infinite *mercy* and goodness; 'God grant me grace to reflect as I ought on all these assurances, and 'as I ought to do, love his *Divinity* and nothing created indepen- 'dently of him; Nothing in this World but the Holy *Trinity* deser- 'ving the whole love and *Adoration* of Mankind. *God* give me grace 'to love him, and only him; And though I cannot do it so well as 'otherwise I ought, yet I hope I do it what I can; And do firmly re- 'solve by his holy *Grace* I will to the uttermost of my power, so long 'as it shall please him to give me my life, wholly and willingly to re- 'sign my self to his *Holy will*; and doubt not by his *Grace* but to find 'more true delight in serving him, then ever I did in the vanities of the 'World. *All Glory Praise and Honour be given unto him for all Eterni-* 'ty, *Amen*

There

THere was likewiſe found in his Chamber, this following Prayer or Reſignation. 'Thou haſt ſaid *O Lord, he that loves Father or Mo-*
'*ther*, &c. *more then me is not worthy of me.* I acknowledge moſt dear *Lord*,
'that I love my *Wife and Children*, as much as a loving *Husband* and ten-
'der *Father* can love a moſt deſerving *Wife*, and moſt dutiful *Children*:
'but to ſhew that I love thy *Divine Majeſty* more than them, and my
'own Life to boot; I willingly render up, and forſake both *for the*
'*love of thee*; and rather then to offend thee, though by the contrary
'I may have life and all worldly advantages both for my ſelf and them.
'Receive therefore *Dear Jeſus*, this voluntary *Oblation* of both. Take
'us into thy protection. *O Helper in opportunities, in Tribulation.* Be
'thou a Judge and *Spouſe* to the *Widdow*; a *Father* to the *Orphans*, and
'*Salvation* to all our *Souls*. I rejoyce to have ſo dear a Pledge to *Offer* Pſal. 9 9.
'and preſent thee, for all thy bleſſings, and benefits beſtowed upon
'Us; and for thy ſake, who offeredſt thy ſelf for us to *Death*, to the
'moſt ignominious *Death of the Croſs*. Receive therefore *Sweet Jeſus*,
'this poor *Oblation* of mine (though all I am able to offer thee) in union
'of all the *Oblations* of thy moſt Sacred *Life, Death and Paſſion*, and of
'all thoſe *Divine Oblations*, which have been, are, and ever ſhall be
'offered upon thine *Altars*, All which I *Offer* thee, and by thy hands
'to thy eternal *Father*. O *Father*, look upon the face of thy *Chriſt*, and
'*turn away thy face from my Sins*, O Holy *Mary Mother of God*; all ye
'Holy Angels and Saints in Heaven make Interceſſion for me, that Pſal. 84. 9.
'what I deſerve not of my ſelf, may by your Interceſſion be beſtowed Pſal. 51. 10.
'upon me. Amen, Jeſu. Amen. Grant and ratifie what I ask, for thy
'Names ſake, Amen.

'On *Sunday* the 19th. of *December* Mr *Lieutenant* of the *Tower*, came
'to him, and told him, *He was ſorry, he muſt bring him the ill news*
'*that he muſt dye on the* 29th. *of this Month.* To which diſmal Meſſage
he undauntedly replyed, *I muſt obey*; Then added in Latine that Text
of the *Pſalm Hæc dies*, &c. *This is the day which our Lord hath made,*
let us rejoyce and be glad in it; After which turning himſelf to his almoſt
dead-ſtruck *Lady*, he ſaid, *Let us go to our Prayers.* Pſal. 181. 24.

'UPon this occaſion alſo he writ a little Schedule containing theſe
'words; *In the name of the Fatther, and of the Son, and of* Another Note.
'*the Holy Ghoſt.* This day Mr. *Lieutenant* came and told me, *I muſt*
'*dye. God's Holy name be praiſed*; and I proſtrate beſeech him, to have
'mercy on my ſinful Soul; And deal with me, as his Omnipotence
'knows I am *Innocent*, of what was falſly ſworn againſt me; I do not
'doubt of Salvation through the *Paſſion* of our moſt bleſſed *Saviour.*

IT was truly a matter of wonder and aſtoniſhment to thoſe who lived and were converſant with him during this ſhort remnant of his life, to ſee with what *Conſtancy* and equal temper of mind he comported himſelf. What interior *Quiet*, and ſerenity he ſeem,d to injoy: What confidence he expreſſed in *God*; What *Charity* to all, even to the worſt of his Enemies. *Death* hath uſually an aſpect formidable to *nature*, eſpecially when *Treaſon* and Murder flie in the face of a *guilty Conſcience.* A man who hath warning and leiſure deliberately to conſider, he is now

upon the point of being juſt dragged out of this mortal State, before the dreadful *Tribunal* of a ſevere *Judge*, who knows the *Secrets* of his *Heart*; there to receive an Eternal *Doom* of *Hell* and Damnation for crimes deteſted by *God* and *Nature*. This man ſurely can never die, without ſuch Conflicts of horrour and deſpair as will almoſt prevent the hand of the Executioner; yet there appeared in my *Lord* no other ſymptoms, then thoſe of a moſt pleaſing *Tranquility*, as if *Innocence* had Guarded him; As if the Injuſtice of others had ſecured him; As if the *Holy Ghoſt* had fortified him. As if *Chriſt Jeſus* had united him to his *Sufferings*, and undertaken his conduct and defence.

THat very morning he was to dye, he writ a *Letter* to his *Lady* which afterwards he delivered on the *Scaffold* to a Friend there preſent, the contents whereof are theſe.

My Dear Wife,

I Have, I give God *humble thanks, ſlept this night ſome hours very quietly I would not dreſs me until I had by this given you thanks for all your great* Love *and* Kindneſs *unto me, I am very ſorry, that I have not deſerved it from you*; God *reward you*; *Were I to live numbers of years, I aſſure you I would never omit any occaſion to let you know the* Love *I bear you*; *I cannot ſay what I would, nor how well and many ways you have deſerved.* God *of His moſt infinite mercy ſend us an happy meeting in* Heaven. *My laſt requeſt unto you is, that you will bear my Death as well as you can, for my ſake. I have now no more to do but as well as I can (though not ſo well as I would,) to recommend my ſinful Soul unto the mercy of the* Holy Trinity *who through the* Paſſion, Bloud and Merits of our Savour, *I hope will mercifully grant me a place, (though the loweſt,) in Heaven,* God *grant it*; *And bleſs you and Ours.*

St. Thomas of *Canterbury's* day
1680, paſt ſix in the Morning.

Your truly loving Husband
William Howard

The Manner and Circumſtances of my Lord's Final End.

WHen the hour appointed for his Death, drew near, he exſpected with ſome impatience the arrival of Mr. *Lieutenant*, telling his Friends that were about him, he ought not to haſten his own death, yet he thought the time long till they came for him. A Gentleman then with him in his Chamber put him in mind, that it was a cold day, and that his *Lordſhip* would do well to put on a Cloak or Coat to keep him warm; He anſwered; He would; for (ſaid he) I may perhaps ſhake for cold, but I truſt in *God*, never for fear. After ſome time ſpent in Spiritual diſcourſes, at length about Ten a Clock, word was brought him, That Mr. *Lieutenant* waited for him below; upon which he ſweetly ſaluted his Friends, bidding them not grieve for him; for this was the *happieſt* day of all his Life; then he immediately went down, and walked along by the *Lieutenants* Chair (who had the Gout) through a lane of Soldiers to the *Barrs* without the *Tower*. There the *Lieutenant* delievered him to the *Sheriffs*, and they from thence Guarded him to the *Scaffold* erected on *Tower-Hill*. All the

the way as he paſſed, ſeveral thouſands of People crowded to ſee him; many civilly ſaluted him; and few there were, amongſt that vaſt number, whoſe hearts were not *touched* and mollified with *Compaſſion* for him. Having mounted the *Scaffold* there appeared in his Countenance ſuch an unuſual vivacity, ſuch a *Chearfulneſs*, ſuch a *Confidence*, ſuch a *Candor*, as if the *Innocence* of his Soul had ſhined through his Body. Nothing of that Mortal paleneſs, Nothing of thoſe Reluctances, Convulſions, and Agonies, incident to perſons in his condition, could in the leaſt be perceived in him. He looked Death in the face with ſo undaunted a Reſolution, as gave many occaſion to ſay; *Grace had left in him, no Reſentments of Nature.* After a ſhort pauſe, viewing the People, and finding them attentive to what he ſhould ſay, he ſtept to one ſide of the *Scaffold*, and with a *Graceful* Air, and intelligible *Voice* pronounced his *laſt Speech* as followeth.

My Lord's laſt Speech.

'BY the permiſſion of Almighty God, I am this day brought hither 'to *Suffer Death*, as if I were *Guilty of High Treaſon.* I do moſt 'truly in the preſence of the *Eternal, Omnipotent*, and *All-knowing God*, 'proteſt upon my *Salvation*, that I am as *Innocent* as it is poſſible for 'any Man to be, ſo much as in a *thought*, of the *Crimes laid to my* 'Charge.

'I acknowledge it to be a particular Grace and Favour of the *Holy* 'Trinity, to have given me this Long time to prepare my ſelf for *Eter-* 'nity, I have not made ſo good uſe of that Grace as I ought to have 'done; partly by my not having ſo well *recollected* my ſelf, as I might 'have done; and partly becauſe not only my *Friends*, but my *Wife* and 'Children, have for ſeveral days been forbidden to ſee me, but in the 'preſence of one of my *Warders.* This hath been a great *trouble* and 'diſtraction unto me, but I hope *God* of his *Infinite Mercy* will *Pardon* 'my *Defects*, and accept of my *good Intentions.*

'Since my long *Impriſonment* I have conſidered often what could the 'Original Cauſe of my being thus *Accuſed*, ſince I knew my ſelf not 'Culpable, ſo much as in a *thought*; and I cannot believe it to be upon 'any other account then my being of the *Church* of *Rome.* I have no 'reaſon to be aſhamed of my *Religion*, for it Teacheth nothing but the 'Right Worſhip of God, Obedience to the King, and due *Subordination* to 'the *Temporal Laws* of the *Kingdom.* And I do ſubmit to all *Articles* 'of *Faith* believed and taught in the *Catholick Church*, believing them 'to be moſt conſonant to the *Word of God.* And whereas it hath ſo 'much and often been objected, *That the Church holds that Sovereign* 'Princes, *Excommunicated by the* Pope, *may by their Subjects be Depoſed* 'or *Murthered*: As to the Murther of Princes, I have been taught as a 'Matter of Faith in the *Catholick Church*, *That ſuch Doctrine is Diabo-* 'lical, *Horrid, Deteſtable, and contrary to the Law of God, Nature,* 'and *Nations*: And as ſuch from my heart I *Renounce* and *abominate* 'it. As for the *Doctrine of Depoſing Princes*, I know ſome *Divines* 'of the *Catholick Church* hold it, but as able and Learned as they have 'Written againſt it: But it was not pretended to be the *Doctrine* of the 'Church, that is, any *Point of Catholick Faith*: Wherefore I do here in 'my *Conſcience* declare, that it is my true and real *Judgement*, That the

'ſame

'ſame *Doctrine* of *Depoſing Kings*, is contrary to the *Fundamental Laws* 'of this *Kingdom*, Injurious to *Sovereign Power*, and conſequently 'would be in me or any other of His Majeſties Subjects, *Impious* and 'Damnable. I believe and profeſs, That there is *One God*, *One Sa-* 'viour, *One Holy Catholick Church*, of which through the *Mercy*, *Grace*, 'and *Goodneſs of God*, I die a member.

'To my great and unſpeakable grief, I have offended *God* in many 'things, by many great *Offences*, but I give him moſt humble thanks, not 'in any of thoſe *Crimes* of which I was *Accuſed*.

'All the *Members* of either *Houſe* having liberty to propoſe in the 'Houſe what they think fit for the good of the *Kingdom*, accordingly I 'propoſed what I thought fit, the *Houſe* is Judge of the fitneſs or unfit- 'neſs of it; and I think I never ſaid any thing that was unfitting 'there, or contrary to the *Law and Uſe of Parliament*: for certainly 'if I had, the *Lords* would, (as they might,) have puniſhed me: ſo I am 'not culpable before *God* or *Man*.

'It is much reported of *Indulgences*, *Diſpenſations*, and *Pardons*, to 'Murther, *Rebel*, *Lie*, *Forſwear*, and Commit ſuch other Crimes held 'and given in the *Church*; I do here profeſs in the preſence of *God*, I 'never Learned, Believed, or Practiſed any ſuch thing, but the con- 'trary; And I ſpeak this without any Equivocation, or Reſervation 'whatſoever: And certainly were I guilty, either my ſelf, or knew of 'any one that were Guilty, whoſoever, that were ſo, of any of thoſe 'Crimes of which I am accuſed, I were not only the greateſt Fool imagi- 'nable, but a perfect Mad-man, and as wicked as any of thoſe, that ſo 'falſly have accuſed me; If I ſhould not diſcover any ill Deſign I 'knew in any kind, and ſo upon Diſcovery ſave my Life; I have ſo 'often had ſo fair occaſions propoſed unto me; And ſo am guilty of 'Self-Murther, which is a moſt grievous and hainous Sin; and though 'I was laſt Impeached at the *Lords Bar*, yet I have great grounds to 'believe, that I was firſt brought to *Tryal*, on the belief, that to ſave 'my Life, I would make ſome great *Diſcovery*; And truly ſo I would, 'had I known any ſuch thing of any ill *Deſign* or *Illegal Dangerous Plot*, 'either of my ſelf or any other *Perſon* whatſoever, without any *Ex-* 'ception. But had I a thouſand Lives, I would loſe them all, rather 'then *Falſly accuſe*, either my ſelf or any other whatſoever. And if I 'had known of any *Treaſon*, and ſhould thus deny it, as I do now upon 'my *Salvation*, at this time, I ſhould have no hope of *Salvation*, which 'now I have through the *Merits* of *Chriſt Jeſus*.

'I do beſeech *God to bleſs His Majeſty*, who is my *Lawful King and* 'Sovereign, whom I was always by all *Laws Humane and Divine*, *bound* 'to Obey, and I am ſure that no *Power upon Earth*, either ſingly or all 'together, can legally allow me, or any body elſe, *to lift up a Hand a-* 'gainſt him, *or his Legal Authority*. I do hold that the *Conſtitution* of 'the *Government* of this *Kingdom*, is the only way to continue peace and 'quietneſs; which *God* long continue.

'Next to *Treaſon*, I hold *Murther* in *Abhorrence*, and have ever done, 'and do; And I do ſincerely profeſs, that if I could at this time free my 'ſelf Immediatly, and *Eſtabliſh* what *Religion* I would, and what *Govern-* 'ment I would, and make my ſelf as *great* as I could wiſh, and all by 'the *death* of one of theſe *Fellows*, that by their *Perjuries* have brought 'me to the place where I am, I ſo much *abhor* to be the cauſe of any

'*Mans*

'*Mans death*, that I would not any way be the cauſe of their *Murther*; 'how much leſs would I endeavour the *Aſſaſſination* of his *Majeſty*, 'whom I hold to be as *Gracious a King* as ever this or any other *Nation* 'had; And under whom the *People* may enjoy their *Liberties*, as much 'as ever any did; And if it pleaſe *God* to grant him *Life and Happineſs*, 'according as I have always *Wiſhed and Prayed* for, I am *morally* per-'ſwaded, that he, and all his *Dominions*, will be as *happy and proſperous* 'as ever *People* were; Which I beſeech *God* grant.

'I do moſt humbly ask *Pardon* of the *Almighty and All-merciful God*, 'for all the great *Offences* I have committed againſt his *Divine Majeſty*, 'and I know he would not have the *Death* and *Confuſion* of a *Sinner*, 'but that he may *Repent and Live*: In that aſſurance I hope, knowing 'he never deſpiſeth a *Contrite Heart*; And though I have not ſo feeling 'a *Contrition* as I would, yet I have it as well as I can; and I doubt not 'but that *God* will accept of the *Good Will*.

'I do deſire that all *People* will forgive me any *Injury* that I have 'done them in any thing, either *Wilfully* or by *Chance*, and I do hear-'tily forgive all *People* in this *World* that have *Injured* me; I forgive 'even thoſe *Perjured Men*, that ſo *Falſly* have brought me hither by 'their *Perjuries*.

'I do now upon my *Death* and *Salvation* aver, That I never ſpoke 'one Word either to *Oates* or *Turbervil*, or to my knowledge ever ſaw 'them, until my *Tryal*: And for *Dugdale* I never ſpoke unto him of 'any thing but about a *Foot-boy*, or *Foot-man*, or *Foot-race*; and never 'was then alone with him: All the *Puniſhment* that I wiſh them, is, 'that they may repent and acknowledge the *Wrong* that they have 'done me; then it will appear how *Innocent I am*: *God* forgive them! 'I have a great Confidence that it will pleaſe *Almighty God*, and that he 'will in a ſhort time bring *Truth* to *Light*; then You and all the *World* 'will ſee and know what *injury* they have done me.

'I hope that I have made it appear, that I have ſome *Conſcience*; for 'if I had none, certainly I would have ſaved my *Life* by acknowledg-'ing my ſelf *Guilty*; which I could have done, though I know I am 'not in the leaſt *Guilty*. And I having ſome *Conſcience*, make very ill 'uſe of it; for I throw my ſelf into *Eternal Pain*, by thus plainly and 'conſtantly denying thus at my *Death*, the knowledge of what I am 'accuſed of in the leaſt.

'I have ſaid thus much in diſchatge of my *Conſcience*, and do aver 'upon my Salvation, what I have ſaid to be really true.

'I ſhall ſay little of my *Tryal*; and whether it were all according to 'the known Law, I am too much a Party to ſay much of it; if it were 'not ſo, *God* forgive him or them that were the cauſe of it.

'My Judges were all *Perſons of Honour*, who were all as much 'bound to Judge rightly, as if they had been upon *Oath* upon 'what was legally proved; And not to *Vote* but according as in 'their *Conſciences* they were ſatisfied; And if any of them did 'otherwiſe, upon any account whatſoever, I beſeech *God* forgive 'them; I do heartily.

'I ſhall end with my *hearty Prayers* for the *happineſs* of his *Majeſty*, 'that he may enjoy all happineſs in this *World, and the World to come*; 'and govern his *People* according to the *Laws of God*, and that the 'People may be ſenſible what a *Bleſſing God* hath ſo miraculouſly given

'them, and obey him as they ought. I ask *Pardon with a proſtrate* '*Heart of Almighty God*, for all the *great Offences* that I have commit-'ted againſt his *Divine Majeſty*, and hope through the *Merits* '*and Paſſion of Chriſt Jeſus*, to obtain everlaſting Happineſs, 'into whoſe hands I commit my *Spirit*, asking *Pardon* of every '*Perſon* that I have done any wrong unto: I do freely forgive 'all that have any ways wronged me; I do with all the *Devotion* '*and Repentance* that I can, humbly invoke the mercy of our *Bleſſed* '*Saviour*.

'I beſeech *God* not to *Revenge my Innocent Bloud upon the Nation*, 'or on thoſe that were *the Cauſe of it*, with my *laſt Breath*. I do with 'my *laſt Breath truly aſſert my Innocency*, and hope the *Omnipotent All-'ſeeing Juſt God* will deal with me accordingly.

HIS *Speech* being ended, he delivered ſeveral Written Copies of it to the *Sheriffs* and others near him, (one of which, Writ with his own hand, he ſent to the *King*,) Then he returned to the middle of the *Scaffold*, where, encompaſſed by his *Catholick Friends*; He kneeled down, and reverently making the *Sign* of the *Croſs*, pronounced aloud, with exceeding *Devotion*, this following *Prayer*.

AGnoſco (*Domine* Jeſu) *peccata mea, multa & magna, pro quibus timeo*; *ſed ſpero in* miſericordiâ & miſerationibus tuis, quarum non eſt numerus: Secundum igitur magnam miſericordiam tuam miſerere mei, & ſecundum multitudinem miſerationum tuarum dele iniquitatem meam. *Si Peccata mea magna ſunt, major eſt miſericordia tua: Si multæ, infinitæ ſunt miſerationes tuæ: Si ego commiſi, unde me poſſis condemnare, Tu non amiſiſti, unde potes, & ſoles ſalvare. Credenti in potentiâ tuâ, & dicenti,* Domine ſi vis, potes me mundare, *tu ſtatim reſpondiſti*: Volo; mundare: *Credo, quod ipſe credidit*; *Spero quod ipſe ſperavit*; *Imploro quod ipſe imploravit. Dic igitur animæ meæ,* Salus tua egò ſum: Sana me, Domine *Jeſu*, & ſanabor: Salvum me fac, & ſalvus ero, & miſericordias tuas in æternum cantabo. Ne projicias me igitur à faciê tuâ, & Spiritum ſanctum tuum ne auferas à me: Sed redde mihi lætitiam Salutaris tui, & Spiritu principali confirma me. *Tu dixiſti, dulciſſime* Jeſu, Convertimini ad me, & ego convertar ad vos: *Ego me, ex toto corde meo, ex totâ animâ, ex totâ mente meâ, converto ad te*; *Converte te igitur miſericordiſſime, ad indignum famulum tuum quem pretioſo ſanguine redemiſti. Tu dixiſti*, Omnis qui confitebitur me, coram hominibus confitebor, & ego eum coram Patre meo, qui in cœlis eſt. *Ego te, & Sanctam tuam Religionem Catholicam vivens confiteor, & moriens, adjuvante gratiâ tuâ, confitebor: dignare me igitur ſuſcipere, & confiteri coram patre tuo, qui in Cœlis eſt. In tuâ promiſſione, non in meâ juſtitiâ confido. Vitam quam dediſti mihi, libenter tibi reddo ſecundum beneplacitum tuum: In manus tuas commendo Spiritum meum, qui moriens Spiritum tuum in æterni Patris manus commendaſti. In pace igitur, in id ipſum dormiam & requieſcam, quoniam tu Domine, ſingulariter in ſpe conſtituiſti me.* Amen, *Jeſu*, Amen.

Engliſhed

Engliſhed thus.

'I acknowledge (O *Lord Jeſus*) my Sins to be many, and great, for 'which I am affraid; but I hope in thy mercy, and commiſerations 'which are without number, Have mercy therefore on me according to 'thy great mercy, and according to the multitude of thy tender mercies, 'blot out mine iniquity. If my Sins be great, thy mercy is greater; If many, 'thy Commiſerations are infinite. If I have committed that, for which 'thou mayeſt Condemn me, thou haſt not loſt that, by which thou canſt, 'and art accuſtomed to Save. To him, that believed in thy Power, and 'ſaid, *O Lord, If thou wilt, thou canſt make me clean*; Thou preſently 'anſwereſt, *I will*; *Be thou clean*: I believe, what he believed, I hope, 'for what he hoped, I Implore, what he Implored. Say therefore to 'my Soul, *I am thy Salvation*: Heal Me, O Lord *Jeſus*, and I ſhall be 'healed; Save Me, and I ſhall be ſaved, and I will ſing forth thy mercy 'for all eternity. Caſt me not therefore away from thy Face, and take 'not thy Holy Spirit from me; But render me the joy of thy Salvation, 'and with thy Principal Spirit Confirm me. 'Thou haſt ſaid, O moſt 'Sweet *Jeſus*, *Turn to Me, and I will turn to You*: I turn my ſelf to Thee 'with my whole Heart, with my whole Soul, with my whole Mind; 'Turn thy ſelf therefore (O moſt Merciful) unto me, thy unworthy 'Servant, whom thou haſt redeemed with thy moſt Precious Bloud. 'Thou haſt ſaid, *Every one who ſhall confeſs me before Men, I will confeſs* Mat. 10. 32. '*him before my Father which is in Heaven.* I, Living Confeſs thee, and 'thy *Holy Catholick Religion*, and through the aſſiſtance of thy *Holy* 'Grace will confeſs thee *Dying*: Vouchſafe therefore to Receive and 'Confeſs me before thy *Father* which is in Heaven. I confide in thy 'Promiſe, not in my own Juſtice; The Life, thou haſt given me, I will-'ingly render thee according to thy good pleaſure. *Into thy Hands I* Luke 23. '*commend my Spirit*, who Dying didſt commend thy Spirit into the 'Hands of thy Eternal *Father*. 'In peace therefore, *in that one thing, will* Pſal. 4. '*I Sleep and Reſt*; *becauſe thou, O Lord, haſt ſingularly Eſtabliſhed me* '*in hope.* Amen, *JESUS*, Amen.

TO this Prayer he adjoyned ſeveral other Pious Ejaculations, wherein with ſingular Compunction, and abundance of *Tears*; he Implored the *Divine* Mercy and Pardon for his Sins paſt; He recommended his Soul to his dear *Redeemer Jeſus*; He bleſſed his *Holy Name*; And offered his Life to him, a willing *Sacrifice* of Gratitude, Piety, and Love.

Remaining ſtill on his knees, he again proteſted his *Innocence* with all the aſſeverations a dying Chriſtian is capable to make. Then riſing up, he a ſecond time ſaluted the people and walking to each ſide of the *Scaffold*, 'Told them, they had as good and gracious a *King* as 'ever Reigned. He earneſtly exhorted them to be faithful and conſtant 'in their *Allegiance* to him. And that no pretence whatſoever ſhould 'withdraw them from their *Duty*. He wiſhed with a feeling reſent-'ment that none might be leſs Loyal to His *Majeſty* then he had been. And it was very remarkable in him; He never ſeemed tranſported with any fervours, or Extaſies, but either in his Prayers to *God*, or in his expreſſions of Loyalty to the *King*; Then indeed he was all Flame,

and

and you might read in his very Eyes, the tender Emotions, and Zeal of his heart. He likewiſe aſſured them upon his Salvation, he knew no *deſign the Duke of York* ever had againſt the *King*, But that he had behaved himſelf for ought he knew, as a loving Loyal *Brother* ought to do; Then he again declared his own *Innocence*, and deſired the Prayers of all good Chriſtians for him; He Prayed to *God* heartily to bleſs the *King*, and preſerve him from his Enemies; To bleſs the Nation; To bleſs, and be with them all there preſent, eſpecially the *King's Loyal Subjects*; He begged *Gods* Mercy and Pardon for his Sins; He asked forgiveneſs of all, and forgave all; beſeeching the *Divine goodneſs* not to Revenge his *Innocent Bloud* upon the whole *Kingdom*; No, not upon thoſe by whoſe *Perjuries* he was brought thither; to whom he wiſhed from his Heart no other hurt, then that they ſhould repent, and *tell truth*.

Whileſt he thus profeſſed his *Loyalty*, his *Innocence*, his *Piety*; Moſt that heard him were touched with a ſenſible Compaſſion for him: Some, as he Spoke, put off their Hats, and Bowed to him, in ſign they Accorded to what he ſaid; Others by diſtinct Acclamations anſwered, *We believe you my* Lord; *God bleſs you my* Lord: *Pray* God *forgive him his Sins*, &c.

In this conjuncture a *Proteſtant Miniſter* accoſted him, ſaying, *Have you received no Indulgences from the* Romiſh Church? *Have you received no Abſolution?* To which my Lord anſwered, *What have you to do with my* Religion? *However I do ſay, the* Roman Catholick Church *allow's of no Indulgences or Diſpenſations, Authorizing Treaſon, Murder, Lying, or Forſwearing; Nor have I received any* Abſolution *for ſuch ends. Pray do not trouble your ſelf, nor me.*

Then turning from the *Parſon*, he applyed himſelf to his Friends about him, whom he lovingly embraced, and with a pleaſant Voice and Aſpect, bid them Adieu, for this World. Next he delivered his Watch, two Rings off his Fingers, his Staff, and his *Crucifix* about his Neck, as Legacies to ſeveral Friends: He deſired the Sheriffs that ſuch Perſons as he nominated might have leave (without the Executioners Intermeddling) to aſſiſt him, and take care of his Body, which was accordingly done: And his Gentleman ſtripping him of his Coat and Peruke, put on his head a Silk Cap, and accommodated his hair, Shirt, and Waiſtcoat, for the Execution. And now being ready for *Death* both in Body and Mind, he chearfully ſubmitted himſelf to the Block; before which firſt kneeling down, and making the *Sign of the Croſs*, he recommended himſelf with raptures of Devotion to the *Divine Mercy* and *Goodneſs*; After this, he lay down as it were to try the Block: And then (who could imagine it?) with a Stupendious Courage, embraced the *fatal Wood*, as the dear *Baſis*, or *Point*, from whence his Soul was now to take its flight to Immortal *Glory*. The Heads-man put him in mind, that his Shirt and Waiſtcoat came too high; Whereupon he raiſed himſelf up upon his Knees, and bid his Gentleman put them lower. Whilſt this was Performing, he was heard continually to breath forth ſeveral Acts of *Prayer*, as *Sweet Jeſus receive my Soul*; *Into thy hands O Lord I commend my Spirit*, &c. When his Gentleman had finiſhed; He again laid down his head upon the Block, perſevering ſtill in *Prayer*, and expecting the ſuddain and diſmal arreſt of *Death*, with a courage (ſay the *Papiſts*) *Divinely Elevated*, a con-

conſtancy more then humane. No change in his *Countenance*; no Quaking, or Trembling in any one *Joynt of his Body*, could be diſcerned. Thus he lay, or rather quietly reſted, upon the very *Brink*, between *Time and Eternity*, a good ſpace; Till at length finding the *Head's-Man* delayed the *Execution* of his *Office*; He once more raiſed himſelf up upon his Knees, and with an aſpect, grave, (but ſtill ſerene and Lively,) asked, *Why they ſtaid?* It was anſwered, *For a Sign*; *What Sign will you give Sir?* He replyed, *None at all*; *Take your own time*; *God's will be done*; *I am ready.* The *Head's-Man* ſaid, *I hope you forgive me*; He anſwered, *I do.* Then *Bleſſing* himſelf again with the *Sign of the Croſs*, he repoſed his Head upon the *Block*, never more to lift it up, in this *Mortal State.*

The *Heads'-Man* took the *Ax* in his hand, and after a ſhort pauſe; Elevated it on high, as it were to take Aim, and ſet it down again. A ſecond time he did ſo, and Sighed. The third time he gave the *Fatal Blow*, which ſevered my *Lord's Head* from his *Body*, ſave only a ſmall part of the *Skin and Wind-pipe*, which was immediatly cut off with a *Knife.*

The *Body* after Seperation from the *Head*, *Trembled* a little, and *Stirred* no more. The *Head* was received into a *Black Silk Scarf*, by two of my *Lord's Friends*, and retained by them, till the *Sheriff* called for it, and commanded the *Executioner* to hold it up to the view of the *Multitude*; The which he did, at the four Corners of the *Scaffold*; Crying aloud, *This is the Head of a Traytor.* But however, the *People* had been formerly poſſeſſed with *prejudice* both againſt my *Lord's Practices* and *Principles*; Yet now, they made no *Acclamations* at the ſight of the *Bloud-dropping Head*, nor ſeemed much taken with the *Jollity* of the *Spectacle*; Some went away with *Confuſion* and *Remorſe*, for their paſt hard *cenſure* of him; Others conceived ſtrange *apprehenſions* and *fears* of *God's Judgments* enſuing *Perjury*, and *Bloudſhed.* Some again ſaid, *My Lord was Drunk with Brandy*; Others ſaid, *Verily This was a juſt Man.* The *Papiſts* who beſt knew his *Innocence*; And who looked upon themſelves as in ſome meaſure *Parties* in his *Sufferings*; beheld this whole *Tragedy* with moſt tender *Reſentments.* They regarded him as a *Victime of Religion and Innocence.* They mutually accompanied him with their *Prayers*, and *Supplications* to *God* in his behalf. They ſeemed to receive new *Comfort and Courage* from his *Chriſtian Magnanimity.* They *Wept*; They *Smiled*; They *Sympathized* with him, both in his *Dolours* and *Joyes.* They *Bleſſed*, and *Praiſed Almighty God* for his goodneſs to Him, and to Them, in Him. They *Glorified* his *Holy Name*, who often ſheweth the ſtrength of his *Power*, in the weakeſt *Subjects.* In fine, many did, (and ſtill do) believe, the peculiar grace, and preſence of *God's Spirit*, had ſome *Effect*, and *Influence* upon all in a manner that ſaw him; And few there were of his *Religion*, who did not wiſh themſelves in his *Place.* Luke 23. 48.

No ſooner was *Execution* done, but the *Sun*, (which before was obſcured, and ſecluded from our ſight,) on a ſuddain diſſipating the Clouds, ſent forth it's Clear and Illuſtrious Beams; Upon which accident, different Parties have ſince made different Reflections; My *Lord's* Adverſaries ſay, *The Sun before frowned at* Popiſh *Guilt, but ſeemed pleaſed when Juſtice was done.* The *Papiſts* ſay, *The Heavens mourned*

and were ashamed, and unwilling to be Spectators at the Shedding of Innocent Bloud; *but appeared in Joy, and Splendour, at the Reception of a New and Glorious Inhabitant into their Cœlestial Mansions.*

When the *Head* had been publickly exposed, it was returned back into the *Silk Scarf*, held by a Youth that had waited upon my *Lord*, and so laid into the *Coffin* together with the *Body*, vested. (For out of Modesty my *Lord* desired he might not be stripped naked on the *Scaffold.*) In the Interim, divers Persons threw up their Handkerchiefs, to have them dipt in my *Lord's Bloud*, wherein some were Gratified, and others had their Handkerchiefs thrown with Derision over the *Scaffold.*

After this the *Coffin* was taken down from off the *Scaffold* by several Bearers, and by them carried to the bounds of the *Tower*, where a Velvet Herse Cloath being spread over it, It was carried in order to it's Interment into the *Tower*; A place (say the *Papists*) as it hath been Enobled by his Sufferings, so will it remain to future Ages, a Triumphal *Monument* of his Fortitude, and Victory.

Thus Lived, thus Dyed this Famous *Nobleman*, to whose memory I shall only add, of my own; That if his *Cause* was *Innocent*, and his *Religion* wrongfully *Traduced*, He is *Happy*, and we *unfortunate* by his untimely *Death.*

1 Ep. Cor. Cap. 15. Verse 54.

Absorpta est Mors in Victoriâ.

AN

APPENDIX,

Containing ſome Remarques upon the late Tryal of

Stephen Colledge,

In Relation to the Chief Witneſſes againſt my

Lord STAFFORD.

Here annexed for the more Ample Satisfaction of the Reader in that Particular.

HAving in ſome meaſure performed what I purpoſed, and promiſed in the front of this *Treatiſe*; I might well have here put a ſtop to my Pen, had not an extraordinary Accident, raiſed new matter of Reflections upon the *King's Evidence* in point of *Credit*, and ſeemed to call me to a ſhort Survey of it, in the cloſe of my Diſcourſe.

The *Judgments* of the *Almighty* are incomprehenſible; And St. *Paul* had good reaſon to Cry out, as it were in an Extaſy, *O The depth of the riches both of the Wiſdom and Knowledge of God; How unſearchable are his Judgments, and his ways paſt finding out*; Who could ever have imagined, That the three direct and main *Witneſſes* againſt my Lord *Stafford* at his *Tryal*, ſhould all convene together at another, of a quite contrary ſtamp; And this in ſo fatal a conjuncture, as to confound, and deſtroy by open *Perjury* each others *Teſtimony*? My *Lord* (as you have ſeen) endeavoured to ſhew the *Infamy* of the *Witneſſes*: The *Contradictions* in their *Evidence*: The *Incoherence* of parts: And *Incredibility* of *circumſtances*, throughout the whole *Charge*. To make out which he alledged many preſſing *Arguments*, and produced many *Subſtantial Witneſſes*, both *Catholicks* and *Proteſtants*, in his behalf: Nothing ſeemed wanting, ſave only his *Adverſaries themſelves*, *againſt themſelves*, to compleat his *Evidence*. And here it is the *Divine Goodneſs* (ſay the *Papiſts*) who is the *Defender of Innocence*, and *Fountain of Truth*, hath wonderfully manifeſted what manner of *Men*, my *Lord's Accuſers* were, and what Credit ought to be given them; Even by the proper *Teſtimony* of their own *Mouths*; Herein alſo fulfilling in ſome ſort, what my *Lord* himſelf (Prophetically) foretold in his laſt *Speech*, (*viz.*) *I have a great confidence that it will pleaſe Almighty God; And that he will in a ſhort time bring Truth to Light. Then all the World will ſee and know, what Injury they* (Oates, Dugdale, *and* Turbervil,) *have done me.*

Rom. 11. 33.

To

To give a brief account of this affair, There are few who have not heard of the late *Tryal* of *Stephen Colledge*, Sirnamed the *Protestant Joyner* (a man very active in the Death of my *Lord Stafford*, and a zealous defender of *Dugdales Honesty.*) He was *Impeached, Arraigned, Condemned*, and *Executed for High Treason*; In Speaking *Treasonable Words*; And having by a designed *combination* with others, appeared in *Arms* to *Seize the Kings Person at* Oxford. The *Witnesses* against him were, *Smith, Dugdale, Turbervil, Haines*, Mr. *Maisters*, and Sir *William Jennings.*

It is not my intent here, to *Epitomize Colledges* whole *Tryal*; Nor to give my Censure or Verdict upon it; But only to inform the *Reader* of some Passages which chiefly relate to the main *Witnesses* against my *Lord Stafford*; And which are now become the Subject of Surprize, and Astonishment to all Considering Persons.

Please then to Note, That *Stephen Dugdale*, and *Edward Turbervil*, (two of the Principal *Witnesses* upon whose *Testimony* my *Lord* was *Found Guilty*,) and *John Smith*, otherwise called *Narrative Smith*, (who at my *Lords Tryal* seemed the only plausible *Deponent*, as to the *Plot in General*) gave respective *Evidence* against this *Colledge* at *Oxford*, as followeth.

Page 18. &c. '*Stephen Dugdale* Swore First. Mr. *Colledge* told him; That the '*King was a Papist*, That he was as deep in the *Plot* as any Papist of 'them all (which the Papists themselves also confess.) That he had an 'hand in Sir *Edmundbury Godferys death*; That he was a *Rogue*; That 'nothing was to be expected from him but *Popery*, and *Arbitrary Go-* 'vernment. And that the *Clergy of England* were *Papists in Masquerade*, 'Secondly, That *Colledge* had framed several notorious *Libels* against 'the *King* to render him contemptible. And raised *Arms* with intent 'to *seize His Sacred Person at* Oxford, *&c.*

Page 29. &c. '*Turbervil* Swore, He heard *Colledge* say; First. That there was 'no good to be expected from the *King*, For that he and his Family 'were *Papists*, and had ever been such. Secondly, That His Party 'would *Seize the King*, and secure Him, till he came to those terms 'they would have of him. Thirdly, That the *Parliament* which cut off 'the late *King's* Head, did nothing but what they had just cause 'for, *&c.*

Page 27. '*Smith* Swore; First. That *Colledge* told him, There were Moneys 'collected to buy Arms and Amuniton to bring the *King to Submission* '*to His People*; Adding thereunto, That he wondered Old *Rowley* '(meaning the *King*) did not consider how easily His *Fathers Head* '*came to the Block*, which he doubted not would be the end of *Rowley* 'at last. Secondly, That *Colledge* had provided himself of a great 'Sword, Pistols, Blunderbuss, with Back, Breast, and Head-Peice. 'And that he heard him say, The *City* was provided, and ready with '*Powder and Bullets*: That he would be one who should *Seize the* '*King* in case he secured any of the Members of *Parliament*. And that 'if any man, nay even *Rowley* himself should attempt to seize upon his 'Arms, *He would be the death of him*, &c.

In direct Opposition to these witnesses, *Colledge* produced *Titus Oates* (the third principal Witness against my *Lord Stafford*. And first Grand discoverer of the *Popish Plot*) who gave attestation against the said several Witnesses, after this manner.

'Against

'AGainſt *Dugdale*. *Oates* depoſed; That the ſaid *Oates* diſcourſing upon occaſion with *Dugdale* concerning his being an intended Evidence againſt my Lord *Shaftsbury* and others. *Dugdale* replied, There is no body hath any cauſe to make any ſuch report of me; For *I call God to Witneſs* I know nothing againſt any Proteſtant in *England*. But afterwards *Dugdale* having Sworn matters of High-Treaſon againſt *Colledge*, before the Grand-Jury at the *Old-Baily*; and being hereupon charged by *Oates*, as having gone againſt his Conſcience and contrary to what he had declared to him, *Dugdale* anſwered. *It was all long of Collonel* Warcup, *for (ſaid he) I could get no money elſe; And he promiſed I ſhould have a place in the* Cuſtom-Houſe. Page 49, &c.

'In oppoſition to this Teſtimony, *Dugdale* Swore; *Upon the Oath he had taken, and As he hoped for Salvation, It was not true* Page 50.

'Againſt the ſame *Dugdale*, *Oates* farther depoſed. That *Dugdale* did confeſs he had an old *Clap*; yet gave out he was Poyſoned; * which ſham paſſed throughout the Kingdom in our Intelligences; But in Truth (ſaid *Oates*) it was the *Pox*: As I will make appear by the * Phyſician that cured him. * viz. *By the* Papiſts. * *Dr.* Lower.

'In oppoſition to which *Dugdale* proteſted, If any Doctor would come forth, and ſay he cured him of a Clap, or any ſuch thing; *He would ſtand Guilty of all that is imputed to him.* Page 50.

'AGainſt *Turbervil* alſo *Oates* gave Evidence in theſe words. A little before the Witneſſes were Sworn againſt *Colledge* at the *Old-Baily*, 'I (*Oates*) met with Mr. *Turbervil*. I was in a Coach; But ſeeing Mr. *Turbervil*; I ſtept out of the Coach, and ſpoke with him; For hearing that he was a Witneſs, I did ask him, whether he was a Witneſs or no againſt *Colledge*? Mr. *Turbervil* ſaid, He would break any ones head, that ſhould ſay ſo againſt him; for he *neither was a Witneſs; nor could give any Evidence againſt him.* So after he came from *Oxon*, I met with Mr. *Turbervil* again; And hearing he had been there; I asked him, if he had Sworn any thing againſt *Colledge*? He ſaid, yes; He had been ſworn before the Grand-Jury. Said I; Did not you tell me ſo and ſo? Why (ſaid he) *The Proteſtant Citizens have deſerted us; And God Damm him, He would not ſtarve.* Theſe very words he ſeveral times repeated; But when I asked him, what he had ſworn? he ſaid; I am not bound to ſatisfie Peoples Curioſities. *Upon the word of a Prieſt* (ſaid *Oates*) *what I ſay is true; As I am a Miniſter, I ſpeak it ſincerely; In the preſence of God; This Gentleman did ſay theſe words to me*; which made me affraid of the Man; And I went my ways, and never ſpoke with him afterwards, nor durſt I; For I thought, *He that would Swear and curſe, after that rate, was not fit to be talked with.* Page 48.

'In oppoſition to all which, *Turbervil* ſwore, That he met Dr. *Oates* juſt at his Lodgings; And the Dr. alighted out of his Coach, and ſpoke to him, and invited him to come to his old Friends. For he told him; *They had ſome Jealouſie that he was not true to them*; And he farther told him; If he would come to the *King's Head Clubb*, he ſhould be received with a great deal of Kindneſs. But never afterwards (ſaid *Turbervil*) did I ſpeak with the Doctor a Tittle about any Evidence; *Upon my Oath (added he) I did not*; *And truly I always looked upon Dr.* Oates *as a very* Ill Man, *and never would converſe much with him.*

Page 49. 'AGainſt *Smith*, *Oates* gave this atteſtation; (*viz.*) To my know-
'ledge Mr. *Colledge* and Mr. *Smith* had ſome provoking words paſ-
'ſed betwixt them at *Richards Coffee-houſe*. And Mr. *Smith* comes out,
'and Swears, *God Damm him he would have* Colledges *Bloud*; So when I
'met him, ſaid I, Mr. *Smith*, you profeſs your ſelf to be a *Prieſt*, and
'have ſtood at the *Altar*: And now you intend to take upon you, the
'*Miniſtery of the Church of England*; And theſe words do not become
'a *Miniſter of the Goſpel*, His reply was; *God Damn the Goſpel.*
'*This is truth* (*ſaid Oates*) *I ſpeak it in the preſence of God and Man.*
'The whole ſubſtance of this atteſtation, *Smith* abſolutely forſwore,
'ſaying; *Not one word of this is true, upon my Oath.* Then addreſſing
'himſelf to *Oates*. 'Tis a wonderful thing (ſaid he) you ſhould ſay
'this of me, *But I will ſufficiently prove it againſt you*; *That you have*
'*confounded the Goſpel, And denied the Divinity too.*

THis is the Sum of the Evidence given as well by Dr. *Oates* againſt *Dugdale, Turbervil and Smith*; as by *Dugdale, Turbervil and Smith* againſt Dr: *Oates*. From which fatal manner of ſelf-condemning and *Perjuring each other*; The Papiſts (with two good conſequence) draw theſe deductions.

Either *Oates* atteſting theſe things againſt the aforenamed Witneſſes, *In the word of a Prieſt*; *As he was a Miniſter of the Goſpel*, *Sincerly*; *In the preſence of God and Man*, &c. Did give true Evidence, or not; If he did; Then are *Dugdale*; *Turbervil*, *and Smith*, both in their Teſtimony againſt *Colledge*, and in their ſeveral Oaths here againſt *Oates*, doubly forſworn. But if *Oates* did not give here *true* Evidence (as the other three poſitively Swear he did not) then is he guilty of manifeſt *Perjury*. So that from the reciprocal Teſtimony of each other, in this matter; It is an undenyable demonſtration; Either *Oates* (the Pillar of the *Plot*,) or *Dugdale*, *Turbervil*, *and Smith*, (the joynt Supporters of it,) or Both, and All, are Perjur'd Men, and can juſtly Challenge no right of beleif, or credit to any thing, they ever did,
Page 50. or ſhall ſwear. Hence the *Attorney General* in this very Tryal ingeniouſly complained: '*It is an unhappy thing That* Dr. Oates *ſhould come*
'*in againſt theſe Men that ſupported his Evidence before.* And Mr. Ser-
Page 94. &97. 'jeant *Jefferies* rightly inculcated to the Jury; *If Dugdale Smith and*
'*Turbervil, be not to be believed, you Perjure* (*ſaid he*) *three Men, And*
'(*in them*) *trip up the Heels of all the Evidence and Diſcovery of the*
'*Plot.* In like manner: The Papiſts argue: If *Oates* alſo, be not to be believed; the whole Fabrick of the *Plot* Falls. What? Dr. *Oates?* the *Quondam Top-Evidence*, *The prime Diſcoverer*; *The Saviour of the King, and Nation from Popiſh Maſſacre*; He ſwear falſe? He not to be believed? What Account ſhall be given to *God, and the World*, for the *Bloud-ſhed*, and the Severities uſed, upon his Sole, or chief Evidence? Yet it is impoſſible, if *Dugdale, Smith, and Turbervil*, Swear not falſe, *Oates* ſhould Swear true; Or if he Swear not falſe; They ſhould Swear true; And as it is impoſſible, both ſhould Swear true; So is it next to impoſſible, (if either Swear falſe) the *Plot* ſhould be true. However, moſt aſſuredly one part of the Witneſſes againſt my *Lord Stafford* (without which the other could never have found credit,) are here, by their very *Compartners*, proved *Perjur'd Men.*

It

IT is objected, They might all of them peradventure have ſworn true before; Though ſome of them for certain Swear falſe now.

The Papiſts *anſwer*: So might they all of them for certain have ſworn falſe before, though ſome of them peradventure ſwear true now. We are not to Judge of Men's paſt, or future proceedings in order to *Juſtice*, by what they poſſibly might be, but by what they probably were, or, will be; And to make a rational Judgment herein, we have no other Rule to guide us in the knowledge of covert *intentions*, then the Teſt of *Overt* actions. Seing therefore theſe Witneſſes are proved actually Perjur'd; We have no rational ground to believe, but that upon the ſame motives, and in the ſame concurence of Circumſtances, they both did, and will commit the ſame Crimes.

Men of loſt Conſciences, and deſperate Fortunes, allured by gain, and encouraged by Indempnities, regard not what, when, nor how they Swear. And my *Lord Stafford* had juſt Cauſe to ſay, 'If it be permit- Page 45.
'ted theſe Men daily to frame new accuſations: If eaſy Credit be given
'to all their *Fables*: And whatever they ſhall from time to time *In-*
'*vent*, may paſs for good *Evidence*: Who can be ſecure? At this rate
'they may by degrees, *Impeach the whole Nation*, (both *Catholicks* and
'*Proteſtants*,) for Crimes which neither they nor any Man elſe, ever
'yet dream't on.

It is alſo objected by *Colledge's* Party; That *Dugdale*, *Smith*, and *Turbervil*, are *Papiſts* in *Maſquerade*; and now made uſe on to Sham off the *Popiſh Plot*, by turning it upon the *Presbyterians*; Wherefore though credit may be given them when they Swear againſt *Papiſts*, yet the ſame credit ought to be denyed, when they bear *Teſtimony* againſt his *Majeſties true Proteſtant Subjects*.

The Papiſts anſwer: *Firſt*, Granted, that *Dugdale*, *Smith*, and *Turbervil* be real *Papiſts*; how is it proved they were imployed to Sham off the *Plot*? Why may not *Papiſts*, be good *Witneſſes* againſt the *Presbyterians*, in point of *Treaſon*, without Suſpition of a *Sham*? Is *Treaſon* a thing ſo ſtrange, and unheard of amongſt the *Presbyterians*? Or why ſhould credit be given to the *Witneſſes* when they Swear againſt the *Papiſts*, (who are only charged with a *Deſign to Kill the King*,) And Credit be denyed to the ſame *Witneſſes*, when they Swear againſt thoſe *who actually Killed the King*? *Secondly*, What the leaſt Argument, or Appearence, is there, that *Dugdale*, *Smith*, and *Turbervil* are *Papiſts*, or *Popiſhly affected*? They profeſs the *Proteſtant Religion*; They frequent the *Proteſtant Church*, They receive the *Proteſtant Communion*, They take all *Oaths*, and *Teſts* can be required of them, (as was acknowledged in this very *Tryal*.) They practiſe neither *Faſting*, *Pennance*, nor other works of *Supererrogation*, (the *Symptomes* of *Popery*.) They purſue their former *Deſign of Swearing againſt the* Page 88.
Papiſts, with as much obſtinacy, and violence as ever; (as was likewiſe proved in this *Tryal*.) And is it poſſible the *Papiſts* ſhould imploy, in their *Shams* and *Intrigues*, (if they had any) the very *Perſons* who at the ſame time make it their *Trade* and *Lively-hood*, to *cut their Throats*? Indeed if any of the *Witneſſes* againſt my *Lord Stafford* be Page 90.
Popiſhly affected, It is Dr. *Oates*, *Whoſe preſent Diſparagement of his fellow* Evidence, *look's* (ſaid Mr. Sollicitor General,) *as if he were again returning to St.* Omers.

Laſtly,

Laſtly, It is argued; The *Jury*, bringing in *Colledge Guilty of High Treaſon*, by that very Verdict, cleared *Dugdale*, *Smith*, and *Turbervil* of the *Perjury*, charged upon them by Dr. *Oates*.

It is anſwered: *Firſt*, The *Jury* brought in their Verdict againſt *Colledge*, not upon the ſole *Teſtimony* of *Dugdale*, *Smith*, and *Turbervil*; but more eſpecially, upon the *Evidence* given by Sir *William Jennings*, and Mr. *Maiſters*, Perſons of known worth and honeſty; As alſo upon pregnant proof made, (and acknowledged in a manner by *Colledge* himſelf;) That he by Combination with others, appeared in open *Arms*, at an appointed time, and place, ready for, and Deſigning, *publique Acts of Hoſtility*, in the very preſence of the *King*, yet without his *Knowledge* or *Authority*; which by the *Law* is adjudged *Treaſon*. 2*ly*. The *Papiſts* do not undertake to make good *Oates*'s Charge of *Perjury* againſt *Dugdale*, *Smith*, and *Turbervil*; Nor theirs, againſt him: But only to ſhew, that the guilt of this *Horrid Crime* lyeth amongſt them; And conſequently, whether it be charged upon *Oates*, as the Chief *Swearing-Maſter*, and Original Author of the *Plot*; Or upon *Dugdale*, *Smith*, and *Turbervil*, as his *Pedants* and *Aeceſſaries* in the *Impoſture*; Or (as is moſt rational) upon Both, and All of them; It follows, That the *Lord Stafford dyed by Perjury*; And *Roman Catholicks* have wrongfully ſuffered by their Villanies, the loſs of their *Fortunes*; their *Eſtates*, their *Liberties*, their *Lives*.

Luke 19. Verſe 22.

Out of thine own Mouth will I Judge thee, Thou Wicked Servant.

THus I have here Briefly and Impartially ſet down, what occurs to me on this occaſion; And now for an *Apology* to the whole *Treatiſe*: Seing the *Papiſts*, as well as all other *Men*, have a natural right, when *Impeached*, to defend their *Innocence*, I hope it will not be Imputed a fault in me, to have *Rehearſed* ſome of their *Arguments*, as they lay within the *Limits*, and *Sphere* of my *Deſign*. If any Perſons of *Depraved Judgments*, ſhall from hence draw ſiniſter *Reflections* upon the *Juſtice* of the *Nation*. I declare they abuſe both the *Government*, *themſelves*, and *Me*, by ſuch their unjuſt *Paraphraſes*.

FINIS.

Some Errors eſcaped the *Preſs*.

PAge 1. Line 30. for *leſſe*, read *leaſt*. p. 14. l. 36. *for it is credible*, r. *is it credible*, p. 30. l. 10. for *Depoſited*, r. *Depoſed*, Ibid. l. 16. for, *left himſelf to*, r. *left to himſelf*. p. 31. l. 35. for, *injured*, r. *inured*. p. 37. l. 3. for *Railed*, r. *Railyed*. p. 39. l. 2. for, *addreſſed*, r. *addreſſed*. p. 49. l. 37. for, *juſtifiable to her Tenents* r. *juſtifiable by her Tenents*. p. 54. l. 36. for, *Creatures*, r. *Creator*. p. 67. l. 12. for, *Implored*, r. *I implore*.